

Title: LEGIMATE VICTIMISATION? HOW YOUNG  
PEOPLE EXPERIENCE PROFESSIONAL SUPPORT  
AND COURTS AS: VICTIMS OF CHILD  
EXPLOITATION

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LEGITIMATE VICTIMISATION?  
HOW YOUNG PEOPLE EXPERIENCE PROFESSIONAL SUPPORT AND COURT  
AS: VICTIMS OF CHILD EXPLOITATION

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**Legitimate Victimisation?**  
**How Young People Experience Professional Support and Court as**  
**Victims of Child Sexual Exploitation**

By

Mandy MacDonald

A thesis submitted to the University of Bedfordshire in partial fulfilment of the requirements  
for the degree of Professional Doctorate in Children & Young People's

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## **Abstract**

This thesis critically examines young people's perceptions of support as victims and witnesses in Child Sexual Exploitation (CSE) trials. This includes their views of support when disclosing the abuse, during the investigation phase, on the journey to court, in court and post court. My thesis is framed within the respondents' experiences of negative and positive support provided to them when engaging with welfare and criminal justice agencies. This research presents empirical data drawn from in-depth qualitative interviews with 11 young people, 3 males and 8 females, who were under 16 years of age at trial. It answers the central research question of: How do Young People Experience Professional Support and Court as Victims of Child Sexual Exploitation? The theoretical framework used to analyse the data was critical realist and grounded theory. From those perspectives the respondents' individual accounts are reviewed, then compared with all respondents' views. From the synthesised data, theories emerged that explained the respondents' subjective, real-world and empirical view of their experiences. The theories that emerged from the respondent data included gender inequality, disclosure, labelling theory and children's rights issues identified through power imbalance between professionals and victims as service users and intimidated, vulnerable victims.

The thesis set out to determine whether after nearly 30 years of challenge to improve child victim support, there have been improvements in practice with child victims of abuse, who must engage with welfare services and the criminal justice system. These respondents have spoken of their rights as a victim being circumvented and their explicit needs and wishes being overlooked. As a result, some have suffered anxiety and trauma, often perceived as a direct result of professional action or inaction.

The thesis incorporates findings, set around the theories that emerged from the data. Findings include information about disclosure experiences, communication and contact with professionals within the criminal justice system and experiences of the adversarial court system. The thesis then moves on to discuss unexpected findings related to levels of selfharm amongst the respondent group and the impact of media and social media commentary on victims. The thesis concludes with recommendations for change to policy and welfare and criminal justice practice to improve support to these vulnerable and intimidated victims. My hope is that these findings will contribute to balancing the rights of child victims and add to the existing body of literature to better understand and improve support to adolescent victims of sexual exploitation.

**Declaration:**

I declare that this thesis is my own unaided work. It is being submitted for the degree of Professional Doctorate at the University of Bedfordshire. It has not been submitted before for any degree or examination in any other University.

Word count: 79,956 (exclusive of Appendices and Bibliography):

Name of candidate: Mandy MacDonald

Signature:

A handwritten signature in grey ink, appearing to read 'Mandy MacDonald', with a long horizontal stroke extending to the right.

Submitted 30<sup>th</sup> November 2018

'You are mistaken if you think we have to lower ourselves to communicate with children.

On the contrary, we have to reach up to their feelings, stretch, stand on our tiptoes'

(Korczak 1925, in Lifton 1999)

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Finally, whilst I know I will take the learning from the respondents' combined data into my own work, my hope is that this thesis will influence other professionals to improve their practice and in doing so, give recognition to the importance of the young people's contribution to improve professional practice and, ultimately, support to victims of CSE.

## GLOSSARY

<b>ABE</b>	Achieving Best Evidence
<b>ACPC</b>	Area Child Protection Committee (precursor of LSCBs)
<b>ACPO</b>	Association of Chief Police Officers
<b>ADCS</b>	Association of Directors of Children's Services
<b>ADSS</b>	Association of Directors of Social Services
<b>APPG</b>	All-Party Parliamentary Group
<b>CEOP</b>	Child Exploitation and Online Protection Centre
<b>CIN</b>	Child in Need
<b>CJJI</b>	Criminal Justice Joint Inspection
<b>CoE</b>	Council of Europe
<b>CP</b>	Child Protection
<b>CPS</b>	Crown Prosecution Service
<b>CSA</b>	Child Sexual Abuse
<b>CSE</b>	Child Sexual Exploitation
<b>DCSF</b>	Department for Children, Schools and Families
<b>DfE</b>	Department for Education
<b>DoH</b>	Department of Health
<b>GSCC</b>	General Social Care Council (Until August 2012)
<b>HCPC</b>	Health and Care Professions Council (Superseded GSCC)
<b>HMIC</b>	Her Majesty's Inspectorate of Constabulary (Until July 2017)
<b>HMICFRS</b>	Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services July 2017)
<b>HO</b>	Home Office
<b>ISVA</b>	Independent Sexual Violence Adviser
<b>LSCB</b>	Local Safeguarding Children Boards
<b>MISPER</b>	Missing Person
<b>NCA</b>	National Crime Agency
<b>NGO</b>	Non-Government Organisation
<b>NSPCC</b>	National Society for the Prevention of Cruelty to Children
<b>NWG</b>	National Working Group (for Sexually Exploited Children and Young People)
<b>OCC</b>	Office of the Children's Commissioner for England
<b>RCADS</b>	Revised Children's Anxiety and Depression Scale
<b>SAL</b>	Streets and Lanes Project, Bradford
<b>SCIE</b>	Social Care Institute for Excellence
<b>SCIP</b>	Safeguarding Children Involved in Prostitution (HO/DoH guidance)
<b>SCYPSE</b>	Safeguarding Children and Young People from Sexual Exploitation (DCSF guidance)
<b>SOA</b>	Sexual Offences Act 2003
<b>UNCRC</b>	United Nations Convention on the Rights of the Child
<b>UKHTC</b>	United Kingdom Human Trafficking Centre
<b>YJCEA</b>	Youth Justice and Criminal Evidence Act 1999
<b>YOS</b>	Youth Offending Service
<b>YP</b>	Young person



## **PART 1**

### **Chapter 1 Introduction to Thesis**

## **INTRODUCTION TO THESIS**

This thesis aims to answer the overarching research question: How do Young People Experience Professional Support and Court as Victims of Child Sexual Exploitation?

The thesis begins with the literature review, which gives a contextual overview of professional and government awareness of children abused through sexual exploitation and grooming. Part 1 of the literature reviews historic responses to child prostitution and discusses how that legacy has impacted on current welfare and policy responses to child sexual exploitation. The history of CSE is littered with tensions about the victim's agency and 'lifestyle choices', which meant that this abuse was seen as a subset of adult prostitution. This contributed to the slowness with which welfare and criminal justice recognised children as victims and the lack of action against child abusers. Labelling terminology and discourses of masculinity and femininity have played a significant part in obscuring the CSE victim. This includes the poor recognition of boys as victims of exploitation. Labelling and punitive responses have also often been responsible for children failing to identify as victims of abuse, which has created barriers to their engagement with professionals and support services. These debates have led to conflated welfare and criminal justice responses to these victims, where on the one hand, they were identified as victims, and on the other, criminalised and blamed for their abuse. The literature review part 2 considers the wider research on the further abuse child victims suffer through their contact with the criminal justice system and the adversarial court systems in child abuse trials, because they operate around the right of the defendant to a fair trial. This can often be at the cost of appropriate safeguarding and child victim care.

In Part 2, the thesis presents the analysis of the respondents' combined data. The findings are set within five separate headings: 1. Disclosure, where respondents discuss their experiences of first disclosure and support; 2. communication and contact with criminal justice professionals; 3. children's engagement with the early investigation by the police and social care; 4. The penultimate findings conclude by reviewing the experiences of these victims in court trials and adversarial cross examination; and 5. The findings section concludes with the unexpected findings, the impact of media and social media on CSE victims and identified levels of self-harm

The thesis concludes by illustrating the positive changes noted in comparison to the wider literature on child victim support, and with recommendations for improved practice.



## **Rationale for Thesis**

In my current role as a child protection manager I meet victims of exploitation and coordinate support for them through strategic and operational partnership meetings. This research is an extension to a review I conducted in 2013, with the victims of Operation Kern, '*The Kern Learning Review*' (MacDonald, 2013). This reviewed the multi-agency support to victims in Derby, during and after a CSE trial. The findings in that learning review led to changes in practice in my local area, so I was keen to extend this research, to understand whether the practice and setting issues that impacted on the learning review cohort were replicated elsewhere. If so, could I learn from this to improve support locally and could that learning be applied more widely in the welfare and criminal justice agencies responsible for CSE victims? Finally, I hope the findings can foster better support within welfare and criminal justice services, to victims of CSE.

## **Organisation of Thesis**

### **Part 1**

#### **Chapter 1. Introduction to Thesis**

This is set out above.

#### **Chapter 2. Context and Undertaking a Literature Review**

Chapter 2 introduces the methods used to explore the wider literature and topics that underpin the literature review. This is supported by examples of the diary of searches and sources, see Appendix I, p342. This section provides a contextual basis for the findings and an introduction to the scope of the literature review.

#### **Chapter 3. Methodology and Theory**

This chapter explains the methodology used to draw data from the respondents' interviews. This includes respondent information, examples of coding and the preparation and planning for research interviews. This chapter also presents the overview of the interviews and includes what theories were used to enhance the review of data, such as a critical realist perspective and grounded theory. These were combined to ensure that embedded theories would emerge from the data and give a contextual framework within which to analyse the feedback.

### **Part 2**

#### **Chapter 4. Literature Review Part 1**

Chapter 4 provides the literature review, including the welfare and criminal justice responses to child prostitution and CSE over the last hundred years. It considers the key themes and contemporary debates in CSE. The literature review underpins the whole thesis and provides the backdrop to professional and victim understanding of this issue. It also reviews welfare

and policy responses to the victims from the early history, when this issue was discussed as child prostitution. Disclosure experiences are also explored in the wider literature of research with child abuse victims to understand barriers to disclosure and what aids disclosure for child victims. The literature review concludes by considering current discourses of exploitation that see CSE and child sexual abuse (CSA) subsumed within grooming discourses.

## **Literature Review Part 2**

### **Chapter 5. Victim Experiences of the Criminal Justice Systems and Court**

This chapter provides an overview of research that explores the impact of adversarial criminal justice processes on child abuse victims. It concludes with an overview of criminal justice support to child victims of CSE and abuse and reviews the wider literature on the impact of the criminal justice system and practice on child victims of abuse, particularly when they must give evidence in court.

## **PART 3.**

### **Chapter 6. Findings 1 Disclosure**

This section discusses the child victims' experiences of first disclosure. Respondents discuss their disclosure in the context of what made them disclose, such as anxiety, unplanned or forced disclosures. Some respondents noted some very positive practice where they had been well supported. This is contrasted with some very poor practice that saw the child exposed to chaotic or disorganised responses.

### **Chapter 7**

#### **Findings 2. Perceptions of Professional Communication and Confidentiality**

This section discusses the respondents' views of contact and communication with professionals from a range of agencies including from the voluntary sector, health and statutory sector.

Respondents discuss their fears about how confidential their information is, and how agencies appear to focus on their investigation and practice needs, rather than the victim's needs. Communication is also discussed as there are examples of many opportunities to communicate effectively being missed.

## **Chapter 8**

### **Findings 3. Victim Experiences of Criminal Justice professionals and Processes**

This section focusses on the processes with which respondents had to engage, such as police Achieving Best Evidence (ABE) interviews and related medical processes. These findings also incorporate feedback about barriers to engagement with those processes, and the ongoing engagement throughout the investigation. This set of findings discusses the complexity of some cases, such as the child being in love with the offender, gender and ethnicity differences as barriers to engagement between the child and interviewer, and the impact of parental decision making.

## **Chapter 9**

### **Findings 4. The Impact of Court Trials and Related Professional Practice with Child Victims**

Here the respondents discuss their preparation for court and their experiences of court. This includes discussion about barrister behaviour during cross examination, experiences of witness care and other supporting professionals. The special measures offered are also discussed, as are experiences of court as anxiety inducing. This section includes an overview of how respondents coped with close proximity to defendants and parents in the court and concludes with their views of good practice.

## **Chapter 10**

### **Findings 5 Unexpected Findings**

This section presents the unexpected findings from the data. These include the level of self-harm disclosed and experienced by respondents, some of which they directly linked to professional practice, actions or inaction. It concludes with a discussion on media representations of CSE cases, and how that and social media commentary impacted on victims, both before their trials and post-trial.

## **Part 4**

### **Chapter 11 Conclusion and Recommendations**

The conclusions draw together the findings of the thesis and make several recommendations to improve practice with vulnerable child victims. I recommend a set assessment that takes place before ABE interviews to assess levels of risk of self-harm. These findings support previous recommendations that child victims be allowed to give evidence from another court to reduce their stress and the likelihood of contact with offenders. This relates to the full implementation of section 28 and extended use of section 29 of the Youth Justice and Criminal Evidence Act 1999 (YJCEA, 1999); in the hope of improving support and assessment of CSE victims through intermediaries. The thesis culminates with the argument that if child victims must engage with adversarial court systems, then it should be as protected vulnerable witnesses with the full range of special measures at their disposal.



## **Part 1**

### **Chapter 2. Context and Undertaking a Literature Review Introduction to Context**

## **Introduction to Context**

This research aimed to learn from a cohort of CSE victims, to add their views to an existing body of research on child abuse victims' experiences of the criminal justice system and the related professional intervention and support. This research is contextualised within the constraints of professional practice, where early legislation and policy disadvantaged and segregated some of this victim group. The child-blaming cultures derived from this policy and legislation directed professional practice to focus on the victim as the problem. While it has taken many years to progress from that view, despite improved legislation and policy, practice remains inconsistent across the UK. An abundance of research shows there are some elements of a victim's journey that will no doubt always be difficult, regardless of what support is put in place, such as giving evidence as a witness in court. Therefore, it is imperative that we listen to the victims' voices to improve those experiences and support systems wherever possible.

Before I look at the research questions that underpin my thesis, I explain how I undertook the literature review (chapter 2). I then explain how critical realism has informed my approach to this research and give an overview of grounded theory and how it informed and detected emergent theories in my work (chapter 3). I then look at the respondent group and how I accessed them through gatekeepers.

## **Undertaking the literature review**

The literature review presented within this thesis provides a comprehensive overview of a range of literature related to Child Sexual Exploitation (CSE). This was a critical analysis of the core research on CSE, to understand the child's view of professional responses and support offered to them as victims of abuse. Historic texts were also used to understand the policy and legal responses to this form of abuse and how that impacted on professional practice, particularly the reasons for the lack of CSE cases reaching trial. The literature searches included the early discursive formations of children being blamed for their involvement in prostitution. These early professional and government responses to CSE appear to have left a legacy of child blaming and judgemental attitudes towards CSE victims that have been difficult to overcome. This has impacted on the way victims have engaged with professionals in the criminal justice system. That legacy has also clearly hindered the development of good practice and, until very recently, effective policy or strategies to deal with this form of abuse. Because those judgemental attitudes have prevailed for decades, it was important to use the literature review to understand the child victims' experiences in the past, but also to contrast and analyse them with the data gained from my respondent group. The overarching question



is introduced above in the introduction (page 13), and the additional questions directing the literature review are noted below (on page 26), with one overarching question and a subset of topic-related sub-questions. These questions helped to identify prominent discourses of CSE and changes and improvements that have taken place in the recognition of CSE as a form of child abuse. They also helped to understand how those changes impacted on professional support to victims.

To obtain an understanding of those discourses and the related policy and practice, literature addressing four specific themes of children's experiences of CSE and professional responses to victims was reviewed. These were, the literature on children involved in prostitution, to illustrate the struggle to recognise the exploited child victim as an abused child. This included the rationale for these child victims being framed within discourses of adult prostitution. It was also useful to draw on and understand the child victims' understanding and experience of that abuse directly or through third-party authors. Secondly, the literature related to CSE and grooming was reviewed to recognise the changes that have brought about improved recognition and support to victims and improvements in their journey to justice. This was more apparent through discourses of the changing terminology and practice, from exit strategies to child protection. This was supplemented with reports of serious case reviews and through the changes to government policy. The third area reviewed related to the child's lived experience of telling or disclosing this form of abuse, therefore the literature related to disclosure with a range of abuse victims was considered. Finally, the fourth body of literature explored was used to gain an understanding of the child's experience of the criminal justice systems and court trial, as a victim of sexual abuse. This was the area where information specifically related to the CSE victim was lacking.

## **Searches and Sources**

The initial search was carried out between 2013 and 2015. The search strategy was fluid, to incorporate the initial need for understanding the history and contexts of CSE and any new and emerging themes that arose from my respondents' data. As the search terms were limited to specific criteria such as court processes, legislation and Child Victims, further searches were completed between October 2015 through to April 2018. This ensured that the thesis incorporated all relevant discourses and policy/practice changes.

The initial searches were completed using the University of Bedfordshire online library's Discover function. This was used to search specific terms such as 'child prostitution' and 'child sexual exploitation'. These searches highlighted a large selection of journals, texts and reports

on child sexual exploitation and each led to more texts, through reference mining. The same single search terms were combined with additional terms, such as 'disclosure', 'victims', 'court', and 'criminal justice systems', and used to explore each of the four themes. I repeated the search using a variety of different databases including Ebsco Host, Soc Index, and Academic Search Elite. I maintained a diary of searches and used the same search terms for consistency, see Appendix I for an example of a diary of systematic searches (page 345).

### **Scope of the Literature Review**

The wider literature on CSE was contextualised by literature on the growth of the welfare state and government child protection policies. This was important to understand and explain historic responses to abuse through exploitation and its relevance to current practice, including the lack of direct research that explored CSE victims' experiences of professional support when engaging with the criminal justice system. I searched for texts in English only, however, I did draw on international research related to children's experiences of cross examination in sexual abuse trials and in best practice to interview, investigate and support child abuse victims.

### **Chapter 3. Methodology and Theory**

## METHODOLOGY AND THEORY

The methodology discusses the approach and theory that informed my methodological approaches before moving on to more practical aspects of the research related to the actual interviews.

### The Critical Realist perspective

My work aims to sit primarily within a theoretical basis related to the critical realist view. Critical realist perspectives are not unproblematic in this context, because they can for example assume that one perspective is more authentic ('*real*') than another (Sayer 2000). This is not helpful when respondents are an already disempowered group and my view is that no one perspective, from children or professionals, is more important than another. However, the critical realist perspective acknowledges that knowledge comes from a historical and social context, which gives it meaning or reality (Houston 2010). There are important elements of the critical realist view that work well for qualitative research. For instance, it seeks to identify the causal links between intervention and outcomes, how they work or don't work, in context of an individual's experiences (Astbury and Leeuw 2010). Parr (2013: 195), drawing on Bhaskar (1975) considers critical realism as a consideration of the '*real, the actual and the empirical*' as distinct domains, (what is sensed or felt by individuals); the '*actual represents events that take place*'; whilst the real constitutes those '*causal mechanisms*' that create the events (independent of both mind and society), that establish the actual and perceived experiences of the individual or society (Parr, 2013; Sayer, 2000). This philosophy proposes that there are complex structures already present (rules and norms), so the '*real*' cannot be reduced simply to experience, including the experience of the subject. Those subjective experiences are what give understanding to the real lived outcomes and empirical experiences. This is what Houston (2010: 82) refers to as '*thinking backward from effect to cause*'. This differs from the work of Social constructionists who would argue that there is no objective reality, because we each subjectively interpret and experience the world around us (Houston, 2010). One particular strength of this approach is that it emphasises the values of the researcher and the role that these play in forming the subjective realities they portray. While situating my research and analysis within a critical realist perspective, the nature of the data and my research questions pay particular attention to these subjective realities and is therefore largely focused on the empirical domain described by Bhaskar (1978). The aim of my approach is to gain an understanding of multiple realities, rather than focusing on identifying universal laws (the real) that can be indiscriminate (Robson, 2011). However, while exploring the subjective views of respondents, an attempt is made to understand the perceptions and

realities of individual respondents and contextualises them within the wider combined data (Houston 2010).

Consequently, critical realist research finds explanations for how and why things happen rather than a focus on what is happening, and this relies on examining those individual perspectives. For that reason, the research questions often begin with how or why (Robson 2011). This is illustrated below with the questions that guided this research; **Research Questions.**

Overarching research question

How do Young People Experience Professional Support and Court as Victims of Child Sexual Exploitation? To draw on the themes for the literature review, this question was supplemented by exploratory questions. Follow up questions

- How has policy and practice changed in the last 20 years
- Why were there specific barriers to provision of good support to CSE victims?
- How do young people experience trials and support as victims of CSE?
- How has professional practice changed and improved in the wake of challenges?
- To what extent are victim's experiences influenced by whether their prosecution is successful?

In asking these questions I sought to understand the quality of interventions with young people and why young people related to them as either positive or negative supports and practices. Charmaz (2008: 88), suggests that questions can be asked in a way to reduce the likelihood of respondent feeling they are being challenged and they are being encouraged to '*elaborate*' on their own important experiences and views.

To support the critical realist approach, I have drawn on grounded theory to focus on abductive reasoning and the causal links between practice, outcomes and theory.

I have used these two philosophies to capture both evidence and meaning from my respondent data. This incorporates the impact of social structure, individual agency, and mindsets, which together contextualise the respondent's subjective perceptions of professional intervention, support and systems as victims of CSE. The combined data is used to highlight positive and negative professional practice and the theory(ies) that can be drawn from the integration of the two philosophies. They work well in tandem to support interpretation and analysis in qualitative and social work research. For example, despite its strengths, critical realism has limits and does not support recognition of less tangible or emotive respondent data, such as the unspoken sadness, laughter, or anger which is just as important as the spoken experience

of the respondent. To fully represent the data from this respondent group, I did not want to lose any aspect of their collective knowledge or experiences, because they were for me, a community of experts (Edwards & Sheptycki, 2009) and each voice was equally as valid and important as the other. This principle therefore required the use of grounded theory to allow for the competing demands and capture of relevant data. Including the expected or anticipated data and the unexpected, such as the emotions presented in some interviews and those interviews where young people talked at tangents, was important. This is presented in the narratives of the data within the findings.

By drawing on these two theoretical frameworks simultaneously I hope to maximise the potential to capture all relevant data.

*We can (and do!) rationally judge between competing theories on the basis of their intrinsic merits as explanations of reality ... what critical realism does is to establish the basis of the possibility of this.*

(Potter and Lopez 2001: 9)

## **Background to the Study**

Above, I have introduced the theoretical basis used to conduct this research. I have discussed the background reasons that led me to undertake this topic of study and provided the questions that underpin this research. Below, I now consider grounded theory in more detail as used to analyse the data from the respondent interviews. I give further explanation of how grounded theory has been used to support my use of critical realism for my qualitative research.

### **Grounded Theory.**

I analysed my data using grounded theory informed by the work of Charmaz (2008, 2006). Although Charmaz comes from a constructivist's tradition (as opposed to critical realism) it was well suited to my focus on data from the empirical domain described by critical realism. Another contribution of Charmaz's work is her use of grounded theory as a means of progressing social justice within social sciences research – something that aligns with my perspective. The use of grounded theory enabled me to develop theory '*bottom up*' rather than imposing an already agreed theoretical approach to understanding my research. Many theorists caution of the dangers of believing that only one theory explains child abuse (Corby 2000, MacDonald 2001 and Parton 2010). For that reason, I did not wish to be prescriptive in the theory used to underpin this research. Instead, I used grounded theory to analyse the

data from the respondent group, which allowed themes to emerge naturally from the data. Grounded theory can act as both a method and theory in qualitative research as noted below.

*Grounded theory as method provides us with guidelines on how to identify categories, how to make links between categories and how we establish relationships between them. Grounded theory as theory is the end product of this process; it provides us with an explanatory framework with which to understand the phenomenon under investigation.*

(Willig 2008: 35)

Therefore, grounded theory works effectively within qualitative research.

*Qualitative research seeks to correlate social and cultural construction of variables. The quantitative researcher, however, tends to seek causal determination and predictability*

(Silverman, 2008: 22)

Whilst both qualitative and quantitative methods have their critics, in the main, criticisms about qualitative research pertain to its reliance on words and analysis as a means of producing subjective accounts of reality (Silverman 2001: 5). Christenson discusses this in context to research with children and notes the improvements made in research findings because of the inclusion of children in research as active participants, agents in their own right.

*The recognition of children's social agency and active participation in research has significantly changed children's position within the human and social sciences and led to a weakening of taken-for-granted assumptions found in more conventional approaches to child research.*

(Christensen 2000: 165)

Grounded theory is a neutral theory rather than a prescriptive one. It is a methodology developed by Glaser and Strauss (1967), based on their observations of patients who knew they were dying and the interactions between them and nursing staff. It builds theory from qualitative data and acts upon a set of theoretical constructs, derived from the qualitative analysis of data, captured using abductive reasoning and repetitive analysis of the combined participants data (Corbin & Strauss, 2008).

However, a criticism of grounded theory is that the researchers' bias is introduced, influencing data outcomes. However, that can be prevented with insight and preparation. Therefore, to

fully represent children's views I chose to employ research practices that included '*reflexivity and dialogue*' (Christensen 2004: 165), that allow the researcher to enter and represent the child's world and views from their own perspective. Theorists refer to this as working with the principles and practices of the subject, to develop research (Charmaz, 2006; Corbin, 2008).

Further, where there is a lack of previous studies related to the research area, grounded theory is accepted as particularly well suited for that study (Milliken, 2010). For example, when I began this research, there were very few examples of research that reviewed the CSE victim's experiences of court and professional support, which directed my choice to use grounded theory. However, there are many studies that have involved other child sexual abuse victims, which have therefore been used as a comparison in this thesis, because there are clear cross-cutting themes for the two groups.

### **The Roots of Grounded Theory - Contrasting Traditions**

Glaser who came from a quantitative research background holds a positivist view of grounded theory (1999: 840). He states that grounded theory '*is what is*', not what could or should have been, which locates it within that realist context. Therefore, this view of grounded theory assumes that social and cultural processes have an objective reality but, still considers how these realities are experienced by individuals. Glaser promoted a middle range theory, that was both hypothesised and derived from the research data, through methodical systems of codifying (1978).

Strauss on the other hand came from a qualitative tradition and focused more on the coding and categorisation of data, which works alongside the researcher's analysis, not as separate or distinct features of grounded theory. The researcher uses abductive reasoning, where data is coded line by line, to create descriptors or labels for events that draw out theories and explanations for experiences. Those steps are repeated until there is a clear description and finding, that explains or responds appropriately to the experiences of the participants and questions within the research. Strauss was influenced by the Chicago school and pragmatism of sociologists such as John Dewey (1859-1952) and proponents of symbolic interactionism, a strong feature of the early work of Chicago sociologists Merton, (1957) and Blumer (1969). These influences became evident in the collaboration of Glaser and Strauss in their grounded theory that uses repetition and prescribed methods of organising and analysing data, the '*inductive middle-range theories through successive levels of data analysis and conceptual development*' (Charmaz 2008: 204). This system of coding uses emerging contexts and



themes to be categorised, and the abductive, repetitive analysis of the data enabled analysis of emerging concepts and theories which are then categorised and compared (Strauss, 1987; Glaser and Strauss, 1967).

Also, I consider my strengths to be grounded in practice, therefore it was more prudent to allow theories to emerge from the qualitative research in a neutral, organic way and review them as they were highlighted. The process allows the use of memo's, thought maps and codes that the researcher can draw themes and categories from. The themes and categories are broad to begin with but through constant comparison can be reduced to specific categories. For example, in my data, themes were grouped under headings like positive practice and negative practice and then categorised into specific professional groups, under perceptions of professional contact.

Charmaz suggests that findings are interpretations or constructs of the truths of the participants (Charmaz, 2006). Grounded theory suits qualitative research as it allows the reader to understand the young person's social context, culture, and the environment they operate in (Simmonds, 2006; Charmaz, 2000), so is a less clinical and directed research.

The application of Strauss and Corbin (1998) use of grounded theory in this study, is framed within the critical realist perspective, because they discard the presence of an objective reality, submitting that '*our position is that truth is enacted*' (Strauss & Corbin, 1994: 279). However, I also note that Strauss and Corbin (1998) understand there to be some '*truth*', but that suggest that it is dependent upon the individual and context; consistent with realist and epistemology (Houston, 2010, Charmaz 2008, 2000, Sayer 2000). As Holton (2007: 268) argues, grounded theory is '*epistemologically and ontologically neutral*', meaning that it can fit with any viewpoint.

Grounded theory captures the reality and what happens as opposed to generalised theories of what could happen. Charmaz reflects that Grounded theory allows the researcher to challenge social institutions, organisations and actions because it is concerned with ensuring that a fair process, equality and subjective honesty is captured through the voice of the participant, either collectively or as an individual (Charmaz, 2008). Researchers also acknowledge that grounded theory can respond better to change (Millikin, 2010; Charmaz, 2008; Simmonds, 2006). Morse et al (2002), submit that grounded theory is the most effective way of seeking out difference and similarity in accounts to '*ensure a fair representation of the sample perspectives*' (Morse et al, 2002: 19).

Given that young people's responses could be judged as subjective and influenced by their environment and cultures around them, I felt that grounded theory was the natural choice to guide and respond to theories arising from this research. Corbin and Strauss (2008: 6) reflect on this as individuals being '*self-reflective*' who can and do consider their actions and interpret and influence actions within society. So, they are not simply acting mechanically, instead individuals can be '*dynamic*', depending on the meaning they attach to actions or the way they interpret or draw meaning from the society and structures around them. This means that grounded theory encourages an understanding of individuals as '*active agents*' (Charmaz, 2006: 7), rather than passive beings controlled by other social forces. This recognises that the concept of emergence, a foundation of grounded theory (Charmaz, 2006), which identifies the reality experienced in the present rather than the past. The less fixed nature of respondent narratives cannot therefore be contextualised as unbiased or static version of a truth (Charmaz, 2008).

The drawback of using qualitative data is that it can produce large amounts of data that are difficult to manage (Bryant and Charmaz, 2007). Also, the use of grounded theory, if not reflexive, considerably obscures the researcher's agency in data construction and interpretation, which can lead to multiple categories that become too broad and unmanageable, as opposed to a set of standard rules and guidance where one scientific theory is applied (Bryant and Charmaz, 2007; Simmonds, 2006).

### **Theoretical Sampling**

Theoretical sampling is a common and appropriate sampling process for use with grounded theory studies. This relates to the repetitive process of identifying and categorising data sources that allow the use of emerging theories to contribute to understanding subjects research data (Charmaz 2006). One of the main concerns with this process of sampling is that the respondents in this sample group volunteered for the research and as such the theoretical sampling could have been inhibited. However, this was overcome through setting clear criteria for inclusion of research respondents that ensured young people were assessed to ensure they were within the correct age, had the capacity to engage and had commonality in respect of being victims of CSE with experience of the criminal justice process as a witness. After the first interview key themes were explored and questions and concepts clarified. The

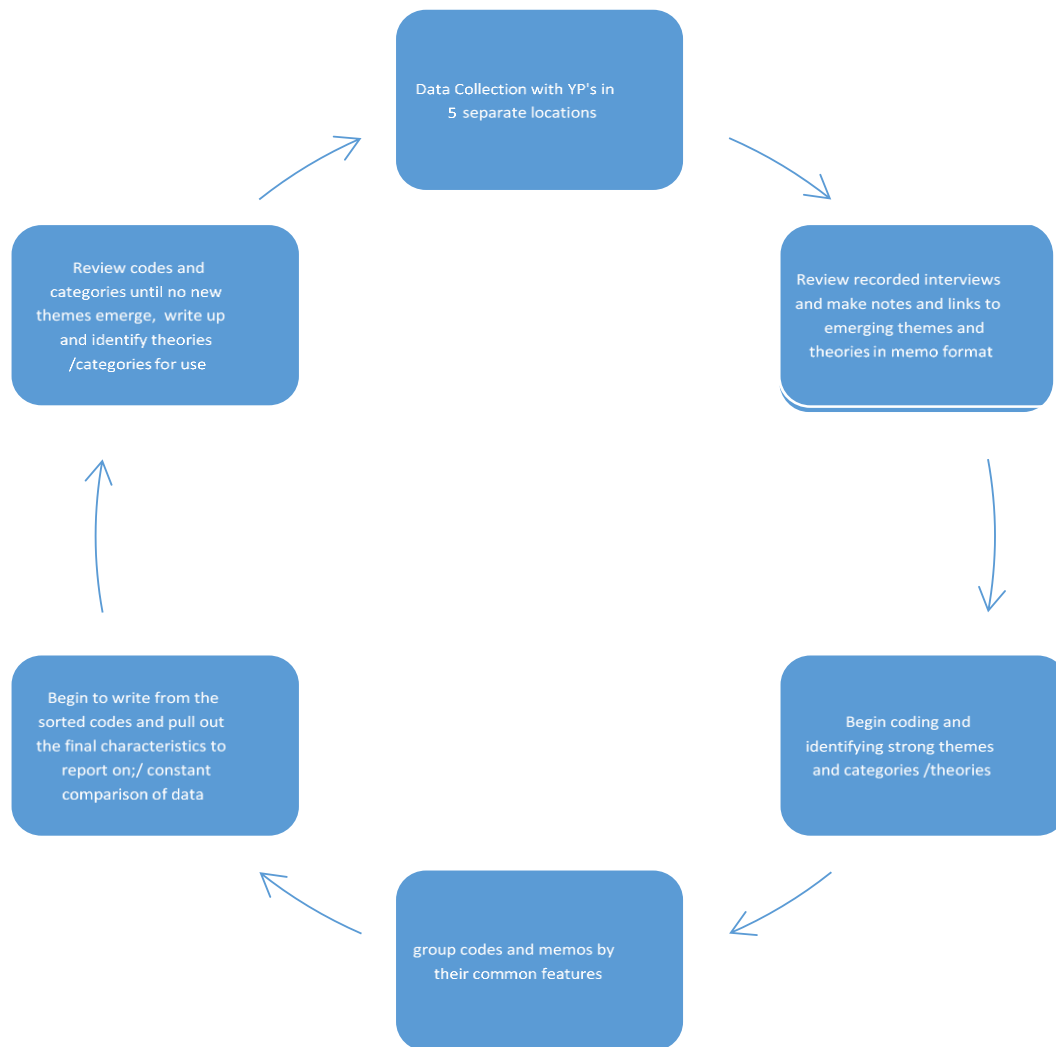
overview of how the interviews were then conducted and what specific questions were asked are below.

### **Data Analysis Using Grounded Theory**

As previously noted, grounded theory is responsive, rather than deductive (quantitative); so, asks '*how?*' and '*why?*' rather than '*how many?*' Despite being a small sample group, the themes and concepts that were presented in the data were unwieldy to begin with (See from page 35 below for an overview of interview sample and interview methods). With grounded theory, data collection and analysis, '*blur and intertwine continually*' (Glaser and Strauss, 1967: 43). This does tend to happen with interpretative designs, so through constant review I grouped data according to common concepts and this created relevant themes to investigate further. The data collection was comprehensive and thorough, and reflectively compared and reviewed. Glaser and Strauss submit that grounded theory '*puts a high emphasis on theory as process*' and '*as an ever-developing entity not as a perfect product*' (Glaser and Strauss, 1967: 32).

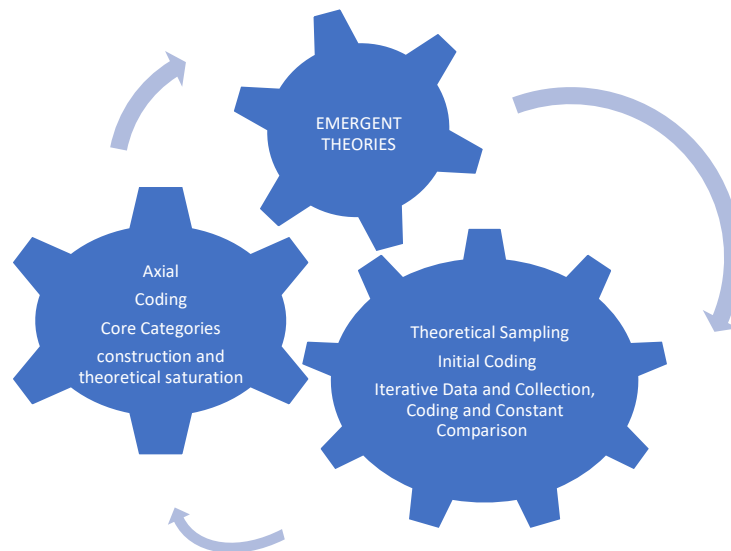
The diagram below sets out the path my analysis followed using grounded theory. It should be read from the top centre and clockwise and as it states it is a repetitive process, only stopping when new themes no longer emerge.

**Diagram 1. Using Grounded Theory and NVIVO 11:**



Once this analysis was at saturation point, when the data was not presenting any new or emerging themes the next stage begins to establish emergent theories.

**Diagram 2: Emergent Theories**



(Adapted from Birks and Mills, 2011)

These diagrammatic representations of coding show how I began to draw the main themes from the eleven respondent sources and filtered them into 54 nodes (or categories), then drew comparison with cross-cutting themes present from each respondent's data, reducing the nodes to 23, then repeated that process to create the combined categories (14), that would become the 5 subset findings:

- Findings 1 Victim experiences of Disclosure
- Findings 2 Perceptions of Professional Communication and Confidentiality
- Findings 3 Victim Experiences of Criminal Justice Services
- Findings 4 Victim Experiences of Court
- Findings 5 Unexpected Findings

The themes that were outliers to the main themes, became a distinct category under unexpected findings. I then drew my main categories from the nodes and the relevant theories from those and the comparison with the literature already reviewed.

## Coding

In the main the interviews were recorded and transcribed to allow speedier access and analysis. The data from the interviews was input to QSR NVivo version 10. A computer assisted qualitative data analysis system (CAQDAS). recommended by the University of Bedfordshire. This framework was then used to develop questions, themes, similarities

and differences and possible theories. The initial coding was completed by reviewing the data line by line, an example of this is below.

**Table 1 Example of Line by Line Coding**

Line	Node/Response	Category/Theme	Linked memos
	<b>Who did you tell first and why did you choose them?</b>		
	YP B		
<b>1</b>	I had to lie to all my friends and family.	<b>Pressures</b> on child leading to disclosure	Additional impact of abuse, self-blame feeling like they lie and further, emotional harm
<b>2</b>	It made me feel so bad	<b>Impact/feeling</b> bad/pain point	
<b>3</b>	then I had just had enough, so I decided to tell,	<b>Took control</b> and told Sibling disclosure	Anxiety reached a peak
<b>4</b>	so, told my sister and she told me mam.	3 <sup>rd</sup> party disclosure to others	Why is it easier to tell sister?
<b>5</b>	It was such a relief but scary too you know.	<b>Relief and scary</b>	Interesting, this illustrates there can be some relief from the anxiety that provokes disclosure by telling?

The line by line coding allows the emergence of theory and prevents any dependence on the researcher's expectations. However, as I became used to the interviews, line by line coding was alternated with sentence by sentence coding, to speed up the process (Strauss and Corbin

1998). The line by line coding begins to highlight the themes in the data and the basic theories emerge through this process. The process moves forward through the creation of common themes, sub categories and final categories that begin to group and present the findings on the data. This is the point at which analysis begins through code maps of the emerging categories. Collated findings were then explored further through the individual and respondent groups searching for similarities and differences to establish common themes and outliers. The data was constantly compared with the questions that directed the interviews to ground them and to highlight the individual and group experiences in context of the original aims. This helped to understand the respondent's experiences as victims of CSE engaging with professionals and adult systems. The analysis of the narratives is presented very much as the child's voice, augmented by the research findings and emergent theories that demonstrates the negative and positive journey of the sample group, as they negotiated professional contact, support, adult systems and institutions.

### **Accessing Respondents through Gatekeepers**

I approached gatekeepers in order to access children for interview. This was to ensure that children interviewed were supported by a known project, so that follow up work could be offered before and following interview. This is described further in the ethics section below. Gatekeepers came from projects identified through the directory of specialist CSE services on the National Working Group website ([www.nwgnetwork.org](http://www.nwgnetwork.org)) in the first instance. I also approached the heads of police public protection units in writing and with a follow up telephone call in cities where there had been serious case reviews related to CSE. Finally, I approached colleagues in other cities that I knew through regional forums and some that I had previously worked with many years before this research began. The latter contacts were due to the low number of responses from the other means of contacting services. At that point I only had 7 agreed interviews with young people.

#### **Information Provided to Gatekeepers**

I provided the following information to gatekeepers (all of which is indexed in the appendices beginning on p 319):

- A letter for professionals introducing the research study, aims and objectives
- An e leaflet for young people and parents to explain the purpose of the research, confidentiality and what I was asking of them
- A criteria / risk assessment for keyworkers to consider in the selection of young people
- Information on how the interview would be conducted/recorded
- Consent forms for young people and professional gatekeepers

- Information leaflet and Consent form for parents/carers
- Post interview information and recommendations of support
- My contact information, a brief pen portrait, DBS status and supervisors' details

The resources provided were adaptable depending on the age, language, and understanding of the young person. For example, I offered to translate any leaflet if necessary, to a language required, or to adapt the terminology for young people who may function at a younger age or who required visual aids to increase the scope for participation and accessibility (Tidsall et al, 2009). Those services nominated a gatekeeper and that individual was the person I then discussed eligible cases with. This was a relatively small group of respondents, they are what Punch refers to as a determined but opportunistic group of participants (Punch 2005). Whilst these respondents have common ground in terms of their victimhood and experience of CSE (Melrose, 2013) and experience of CSE trials, they were a very diverse group of young people from 5 different geographical locations in the UK. Some were linked to the same CSE project for support and some had the same keyworkers. Three did not wish to engage with specialist CSE support but, did have alternative support such as youth offending officers, police mentors and a strong parental / family support system.

### **Inclusion Criteria**

I wanted to interview a range of young people from age 16 and up to obtain their views of professional support. It was very important to understand a wide range of experiences, from young people across the country so that comparison could be made in respect of what support and experiences young people had received. I also stipulated that those young people had to be victims (witnesses) in a completed CSE trial after 2011, so that the updated victims' codes after 2009, (CPS, 2013a and 2015) could be used to measure any change in support and entitlement in court trials. The criteria for inclusion was shared with gatekeepers and in some projects advertised amongst young people. Three criteria acted as filters;

- The young people had to be 16<sup>1</sup> when taking part in the research interview (so could have been younger when they were in court)
- The young people must have a support structure in place whilst taking part in the research, preferably with services that could provide intensive support if required.

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<sup>1</sup> One young person was 15 when interviewed. This was not known prior to arrival as the criteria had been shared with the project workers. We were already half way into the interview when she told me her age in the course of explaining an incident to me. Rather than let her down, I explained that there was an upper age limit agreed for ethical reasons. I asked if she could obtain parental permission to take part. She advised that her



- Young people must provide written consent to take part, either their own, and/or a parent/carer.

In addition, gatekeepers had to assess any risk to the child from taking part in this research and put forward only those they believed would not be further harmed through taking part in the research interviews, (see page 325 for the risk assessment).

Some young people had two or more gatekeepers because dedicated teams supported them, rather than one keyworker. The project or unit managers also had to give agreement for the staff involvement in research and to agree to supervise the gatekeepers on site, and to ensure they were the most suitable persons to support the respondents.

I conducted the interviews on a one to one basis because this is an established and ethical way of researching sensitive subject matters that young people might not want to discuss in front of their peers (Hollway and Jefferson, 2000). I also wanted to reduce the likelihood of peers and professionals influencing a respondent's input.

### **Exclusion Criteria**

I excluded young people from taking part in the research if

- They were likely to be emotionally harmed as a result of discussing their support and trial with a researcher.
- They were under 16 (see above for one exception).
- They did not engage consistently with support.

### **Telephone Contact with Gatekeepers to Discuss Potential Respondents**

Once a gatekeeper had agreed to support the research and had identified the young people who might be interviewed, they completed my paper-based risk assessment of that child. This was then anonymised and sent to me electronically, so the gatekeeper and I could discuss the risk assessment and eligibility criteria in relation to each individual service user, and the potential for them to opt in as a research respondent.

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mother had given consent already and said she would like to complete the interview. I did advise her that I would have to discuss this issue with my supervisor. My supervisor and I agreed to use the interview because the young person wanted to make a contribution and was deemed safe to do so, and she has been a central contributor to the findings.

This became the means of selection and once a child was selected on paper, they were then approached by the Gatekeeper, given the information discussed above and asked if they would be happy to be interviewed. Once a young person agreed to be interviewed, the gatekeeper obtained any necessary consents and went over the risk assessment with the young person, to ensure the information was accurate and to establish whether there was any other information that should be considered. I did not meet directly or talk to any child prior to the actual interview.

### **Research Respondents and the Policy Context**

As noted, my thesis adopts a qualitative approach to conduct research interviews with eleven child victims of CSE, 8 females and 3 males, who were interviewed between 2014 and 2016. These respondents were all victims of Child Sexual Exploitation (CSE) and subsequently took part in police investigations and court trials as witnesses against their abusers. The respondents were involved in individual and group-based prosecutions within crown courts, across 5 different cities, which I have grouped as cities 1- 5. One respondent discussed her case moving from crown court to magistrate's court as a last-minute change, which was most likely linked to the age of the defendant in her trial, who was also a peer.

I was keen to understand the respondent experiences of the inherent complexities of the systems, processes and the environments, such as crown court, that they were required to engage with and negotiate as CSE victims. I also wanted to understand the impact of victims contact with professionals from a range of statutory, criminal justice and voluntary sector agencies. The primary focus of the work was to understand the welfare and criminal justice responses to child victims of exploitation and to establish if there have been enduring issues of negative practice, highlighted through the wide range of research in the literature review.

My questions to participants were therefore set to capture both positive and negative practice. Further, when this research was carried out, there had been significant policy level developments to improve child victim support in court, including through the updated victims' codes (CPS, 2013a and 2015). This victim's code followed other policy and guidance developments including the framework for Achieving Best Evidence (ABE, 2011) and a range of challenges and learning from research over the last 30 years that began with the Pigot report in 1991. This provided the context to identify whether changes to policy had resulted in improvements in criminal justice practice with young victims.

## **Preparing Young People for the Interviews**

Gatekeepers had already discussed the interview and questions before I arrived. When I met young people, I talked to them about the research and ensured they consented to take part. I reminded them that I did not need to know about their experiences of exploitation but did want to understand how well they were supported from the beginning to end, as victims of exploitation. I asked for permission to record or make notes at the interview and two respondents preferred that I made notes rather than recorded the interview. This produced 13 and 15 pages of notes for each respondent that accounted for a further 2hrs and 31 minutes of interviews. Nine young people gave permission to record the interview on a Dictaphone. This generated 12.5 hours of taped interviews, which when transcribed gave 67 pages of useable script (there was an equal amount not used).

Young people were advised of what questions or prompts would be used and what would happen to the content of the interviews, the notes, the recordings and who would have access to them. I used this pre-discussion period to show them how the recorder worked and to let them listen to how the recording sounded by asking them to say their name and what hobby they had.

I advised them that their information would not be used in any other way, it would not identify them and gave them the option of reading early transcripts of the collective data. Respondents have not asked to see the combined data, and no one disengaged from the research once they had been interviewed. I asked if they had any questions or concerns about taking part. I reiterated confidentiality and the clear duty to report any issue that placed them or anyone else in danger and all acknowledged their understanding of the confidentiality agreement discussed.

Interviews were held in the place and (within reason) the time of the respondent's choice. The interviews took place in the respondent's own city. The interviews took place between 2014 and 2016. To begin the interview, I did inform young people that this was their opportunity to say what they wanted, anonymously, and to discuss what support they had received. I explained that whilst their comments would not go to any individual, they would produce a collective set of recommendations that highlighted what worked well to support victims of exploitation and hoped that we could develop and improve professional practice

through understanding their good and bad experiences. Once full written consent was obtained, the interviews commenced.

The number of respondents willing to be interviewed created a concern for me, given that Saldana (2009) proposed that there should be at a minimum of ten interviews in order to develop a grounded theory. This formed part of my reasoning when considering how many interviews to conduct. In total I completed eleven (11) interviews with young people. I had hoped to interview more. Young people should never be forced or coerced into taking part in research against their will, it should be a free choice (Spriggs, 2010). Mudaly and Goddard (2009) state, consent is an ongoing process, which means the respondents must have the option and ability to change their mind. Therefore, before starting the interview I reminded respondents that consent could also be withdrawn if they felt they had over shared or said something in interview they regretted. To pre-empt this, solution focussed interview techniques were used which prompted young people and reminded them that they had one month to remove their interview from the research set, or they could remove parts of what they had said, as part of the consent agreement (Alderson 2005, Mudaly et al 2009). As such, the consent form was also a safety net for those who might need one (see Appendix E, page 332).

Some interviews were held in homes and some in professional settings. Those held in the home and in '*drop in*' style rooms with sofas and less formal surroundings did seem to flow better. I had prepared for meeting young people's needs so I had tissues, I took bottled water and I had checked that respondents had all they needed before we began, such as pen and paper for making notes or doodling.

I used the questions as prompts to begin the interview and the respondents were advised that they could ask any questions they wanted to or tell me anything about the support they received. I ensured through gatekeepers that we had privacy and that we were not interrupted.

### **Conducting the Interviews**

I used 1-1 interviews to obtain the free narratives of the sample group and this allowed me to gather more illustrative and meaningful data from young people. The interviews lasted between 1 and 2 hours. One went over 2 hours, but it was the young person's choice and we had stopped mid-way for a comfort break. In interviews I made sure we sat on the same level, did not have direct eye contact, but we could if they so wished, by sitting at the side of

the respondent, but also, not too close that it invaded personal space. In two interviews notes were taken so we had to use a table but we still sat at an angle to each other.

During the interviews I monitored young people closely for non-verbal signs of discomfort and I was prepared to avoid any long difficult silences, however I did ensure respondents had the time to consider the questions. I managed any difficult or challenging issues, such as upset with calm and encouragement which I hoped would help to minimise any feelings of intimidation young people felt in the process (Bourdieu 1999: 610).

At the end of each interview I reverted to general chat and checked out whether the respondent had any support needs. Directly after those interviews we went over the main points they had raised, and I ensured that I had understood their recommendations fully.

### **Debrief Following the Interviews**

At the end of each interview I asked young people how they found the process. I wanted to ensure they felt like they had been listened to and their contributions valued. Many of these respondents commented that it was positive to be able to talk openly about those positive and negative aspects of professional support and trials. No one found the process too difficult and one commented that it was good to be able to discuss everything because her family and friends had moved on from this and did not want to discuss it. All respondents were reminded that they could verbally revoke consent during or up to one month after the interview. Each young person was offered a key working session, booked directly after the interview if they wished to take part in it. Young people were thanked for their time and for taking part in the research.

### **Overview of Interviews**

The table below sets out the interviews that respondents took part in, which area they related to and the hosting service. Relevant comments are in the final column, the table also details those interviews that were arranged and did not go ahead.

**Table 2 Research Interviews<sup>2</sup>**

Cities	YP's	Date of Interview	Hosting Service	Comments
Area 1	A and B	2014	Specialist CSE	Two young women, interviews lasted 2.17 hrs and 1.05 hours respectively – Seen in the CSE service
	C	2014	Specialist CSE	1 x young man, interview was 1.20 hours and was in his home with parents at his request. Parents also spoken to re their views of his case and did request a set interview of their own to give their views. I was unable to accommodate this due to not offering this to other parents.
	DNA	2014	Specialist CSE	This young person did not turn up to the interview on two separate occasions. He did say he would respond to an email with questions but did not. Interview was planned at CSE service office.
Area 2	D and E	2015	Specialist CSE	Interviews lasted 1 hour and 1 hour 10 respectively. The young people were seen in the CSE service.

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<sup>2</sup> Note: My aim was to interview between 15 and 25 young people, however positive responses were limited and having spent months chasing some responses it was agreed I would proceed with 11. The gap between interview dates relates to hospitalisation and recovery from a serious illness, which interrupted my interview schedule.

Area 3	F, G, H	2014	Specialist CSE	Interviews lasted 1.35, 55 mins, 1.13 respectively. Seen in a youth centre due to creative workshops taking place, but supported by CSE service
Area 4	I and J	Nov 2015	Police CSEU	Interviews were 20 mins and 1.05 respectively. The first young person was interviewed telephone/skype at his request and then at home, but his mother took over at 20 mins. The second was YP J interviewed in the police exploitation unit with support from ISVA.
Area 5	K	Feb 2016	Specialist CSE	seen at home with YOS support worker

Services/Cities contacted	Number approached	Date Contacted	Type of Service	Reason for refusal
North England	4	March 2015	CSE Specialist x 3 and 1 Police unit	1 x service agreed to support then withdrew due to Already being involved in similar or other research, 1 x asked young people and had none who had been to court. 2 Court case not yet concluded 1 x service had arranged interviews and the young person did not turn up. I rearranged that visit and he did not turn up that time either. I concluded that he was still quite chaotic so would probably be too vulnerable to interview at that time.

South of England	2	March - June 15	CSE Specialist and local authority and MASH	1x Conducting their own learning review following the Kern Learning Review 1 x service had agreed some dates with me, but the young person did not turn up on the day
West Country	3	August 15 – Jan 16	Police CSEU	Senior officer seen at a research event and agreed to provide access to victims – court was adjourned twice which made it impossible to complete within timeframe
Midlands	2	November 15 1 X DNA	CSE Specialist Service and Police CSEU	1 x interview agreed but on contacting did not have time to commit, 1 x service no longer wished to take part.



## Challenges and Limitations of the Interviews

It is important to reflect on common theories about the validity of participant recall under stressful or anxiety-driven circumstances. Holloway and Jefferson discuss this as '*defended subjects*' and '*subjectivity of knowledge production*', (Jefferson and Holloway, 2000: 3). They suggest that the defended subject is likely to have some mixed recall related to incidents that evoke great anxiety. They submit

*That if memories of events are too anxiety-provoking, they will be either forgotten or recalled in a modified, more acceptable fashion*

(Holloway and Jefferson, 2009:3)

I had to be mindful of this when listening to the respondent narratives and how they were expressed to me, the listener (researcher). The listener is, within this theory also a defended subject (Holloway and Jefferson, 2009:3). As such there can be an interpretation of narratives that hold didactic consequences and reflection on similar or personal experiences. In narrative approaches to interviewing there is a risk of both the interviewer interpreting from a personal anxiety and for the subject participant to do so. My own experiences with the operation Kern victims and their outrage at the way they were treated in court is an example of something I had to manage when interpreting the data from these respondents. Young people are complex, particularly those who have been abused. They may not trust easily and are likely to have numerous reasons for either withholding or embellishing information, (McLeod, 2007; Punch, 2005). There are several notions as to why this happens. Holloway and Jefferson (2009), describe this phenomenon in context to young people having a different frame of reference to that of the researcher, so the question posed and asked is not always heard or understood in the same way. Holloway and Jefferson (2009), undertook research with young offenders, so there are differences in the sample groups. But there is also an underlying assumption in the theory of '*defended subjects*' that the researcher, (being in most cases a stranger to the participant), cannot then fully understand or interpret the participant's perception and related feelings. There are also inherent issues with a participant's wish for self-protection, that may then influence how much truth and vulnerability they divulge (Holloway and Jefferson, 2009). My view is that the sample group I interviewed were not expected to disclose any personal details of their abuse, so there was less requirement for these defences.

They were also being given the opportunity to vent any frustrations in an anonymised context. Whilst there is validity to the defended subject theory, particularly for the researcher, I wonder at how relevant it is within this context and respondent group.

Young people sometimes used professional language in their narrative to describe their experiences with statutory agency professionals. I was therefore concerned that they had not given their view but a professional view, but I reconciled this by understanding that mirroring professional terminology doesn't undermine the validity of what is said. It simply meant that young people had been given another means of verbalising their issues.

The data collated is limited because I did not specifically ask for details about the offence against the participant, or delve into details about, what I now see as, important unintended findings, such as the level of self-harm, issues of gender and background of the young person. The extent of self-harm was quite central to the information shared and the issue of gender arose as an unintended finding from questions about young people's coping mechanisms. I would have liked further interviews to clarify some of those issues. Neither I, or the young people interviewed knew the significance of some of the information shared at the outset of the interviews because I did not know that it was such a significant feature of the collective data until I was nearing the end of the interviews and analysing the data. For example, I considered that young people have not always used the term self-harm, for instance one young person (YP J) talked about punching a wall due to anger, which he would not necessarily relate to as self-harm as I do because it was an aggressive act that caused self-harm. I also acknowledge that some of the responses given to questions are not specific about the agency they are discussing, for instance some young people would use the word '*them*' to discuss social care and police professionals, clubbing them all together to aim a criticism at them. However, others were clear and after the first couple of interviews I began to clarify what young people meant by the collective terms they used.

I also found cancelled interviews difficult to deal with due to time constraints with the research. For instance, I went to one city twice, to interview a respondent who changed his mind at the last minute, despite making a call before setting off to check he was still on board.

Another challenge was the lack of time to revisit young people with further questions and follow up which, given some of the unintended findings leaves the research feeling unfinished.

I did find that during some interviews the information shared drifted from the question asked, but the information was as valid or interesting to the study. However, I had not asked or discussed the same with other respondents. This included example of young people telling me information that they needed or wanted me to hear, rather than answering the question I had asked, which is a known hazard of research interviews (Goddard et al 2005). For example, after about an hour, YP A, wanted to discuss her termination and associated trauma, rather than discuss the questions for the research, which we did. However, some of what she said was relevant to how she felt about her offender and her trial and professional practice.

In general, the interviews allowed young people to delve into their recollection of professional and institutional contact. Whilst I expected reflective responses, I was struck by how many of the respondents talked about their immediate feelings illustrating that they were still heavily impacted by their experiences. Cornwall and Jukes (1995), discuss that one of '*the key differences between participatory and conventional methodologies lies in the location of power in the research process*' (Cornwall and Jukes, 1995: 1667). In these interviews I attempted to give respondents a space where they had the power, where their voices and experiences had primacy and they and their views were more important than anything else. However, there is still a power imbalance between researcher and child respondent that cannot be removed and that has to be acknowledged (Christensen and James, 2000; Cornwall and Jukes 1995).

My initial aim was to interview at least 15 - 25 young people and then to hold a workshop style group with a selection of professionals to go over the findings and obtain their views. I wanted to particularly target professionals from the CPS, Social Care, and the Police. I was unsuccessful in obtaining any volunteers from CPS, in fact I was told I would have to pay for a consultation. Two police officers were happy to engage with the workshop, and most social workers were happy to attend, but unfortunately, due to ill health, I was unable to pursue the workshop, but it is something I would like to follow up after the research submission.

Finally, in terms of logistics, the research was in diverse geographical cities and this took a great deal of time and expense on travel. My own poor health impacted on my ability to work for much of the period of the work.

## **Limitations of Research Findings**

This is a relatively small sample group and therefore the methodology and scope of the project could not be applied more broadly to all adolescent CSE victims however, there is congruence with findings in the wider literature on adolescent CSE and CSA victims. The feedback is subjective and relies on young people being open about their experiences and giving a full account of their contact and support from welfare and criminal justice agencies. However, for some, their prior experiences could impact on their ability to feedback objectively. That said, this is their truth and therefore valid.

Professionals were not given the opportunity of a right of reply. However, that would not necessarily change the victim's perspective and experiences.

There are many aspects of the respondent's data that required further exploration such as impact of professional action or inaction, history of the child, for example whether they were pre-disposed to self-harm and anxiety.

## **Discussions with Parents**

I did not intend to speak to parents due to time constraints but did speak to 3, through contact with them at respondent interviews. In the main, their views are captured in the finding's chapters (p102). Parents have consented to the use of these comments and participants have also consented to use of parents' views. However, the findings primarily incorporate the respondents' views, in adding to those I have also respected the parents' wish to be heard and maintained the participants agreements.

## **Ethical Considerations and Approvals**

The usual supervision arrangements were observed in context of the University of Bedfordshire's agreed ethics for conducting programmes of research under the professional doctorate programme. I completed an ethics approval form (IASR, 2014), and read the Social Research Association (SRA 2003) ethical guidance for primary social care research with young people. This ensured that I understood the need for rigorous ethical approaches to conducting research and that I was responsible for the welfare of any participants involved. Good ethical

practice is a fluid process, it recognises the different interests of all parties involved and the need for ongoing reflection, based on child-centred values and principles (Alderson and Morrow, 2004). My approval was granted by the ethics committee in 2014.

### **Ethical Practice with Young People as Research Participants**

As victims of abuse, the young people involved in the research project could be deemed as a vulnerable cohort. This creates a dilemma of research, where young people are invited to discuss very sensitive issues, because it is positive to give vulnerable young people a platform to have their voices heard, but it is also a risk, in context of the impact of reliving their experiences through the retelling of them in interview. Therefore, a balance sought to ensure the welfare of the respondent was of primary concern, whilst also recognising this vulnerable group have a right to be heard (Williams 2006). This is why the debrief at the end of the interview was included with the recorder turned off to allow free speech and support. Research shows that by using the methods outlined above, young people don't view the interviewer as holding or creating a power imbalance, because the purpose is to represent their perspective, (Reason and Heron 1986, Spriggs 2004), Melrose also discussed '*vulnerability*' as socially constructed (2011: 2) and therefore warned that there is a danger of excluding the most vulnerable voices from research, because they are labelled as vulnerable and as are already a marginalised group, so don't have these opportunities and we therefore are at risk of failing to understand their experiences.

Existing research states that disclosure of further abuse is a '*real possibility*' in sensitive research (Mudaly et al 2009: 131), because young people may feel they are being listened to for the first time and begin to trust the researcher with information they are confused about or feel unsafe with (Mudaly et al, 2009; James et al, 2008; Christianson, 2004). For this reason, I was clear with young people about my duty to report new disclosures or concerns. I also explained that any breach of confidentiality by myself would be reported immediately to my supervisor and Bedford university. This leaflet contained my supervisors email address (see appendices beginning on page 321). This gave them the power to make complaints and choice to report any concerns about the research or researcher directly to my supervisor.

### **Recognising Respondents' Contribution**

I wanted to recognise the efforts and contributions of the respondents. For that reason, I provided gatekeepers with £20 vouchers, to give to the participants post interview. Young people were not advised about these until after the interview had been completed. The gatekeepers gave them the vouchers to avoid any discomfort and to avoid the creation of a

further power disparity, which is already apparent between researcher and interviewee. I did not want young people to consider the vouchers as an incentive or coercion to take part.

### **Safety of Participants and Researcher**

Ethical practice is a key concept of research with vulnerable participants (Mudaly et al 2005). There are ways of increasing participant safety which are less tangible than practical steps like place of interview and support thereafter. For example, ensuring you demonstrate respect, honesty and openness about your role, the purpose of the interview and what happens with that information all increase participant safety. This can be supported by taking time to build a rapport with participants and by openly acknowledging the dynamics of the transient relationship between participant and researcher as a means of bridging that gap (Spriggs 2004). The relationship can also be facilitated and supported through contact via their keyworker.

A child-centred interview is anchored on the premise that a child's willingness and choice to participate is enhanced, where there is agreement or structures based on their consent and their emotional, cognitive and developmental abilities (competency), to participate in the interview. Where these structures are agreed there is more likely to be enhanced engagement with interviews, because they capture the values of true participation and opportunities for decision making and control of the interview and what happens thereafter (Skinner et al 2005, Erikson 2010). By offering respondents control of their private information, we reduce the inherent power imbalance between the researcher and participant (Sinclair 2004, Erikson 2010). For examples of the risk assessment and all other documentation sent to gatekeepers see Appendices beginning at page 319.

The use of specific methodologies and frameworks give insight into the researcher's stance on ethical practice, particularly the provision or lack of adequate care and protection of children in research interviews (Eriksson et al, 2010). This relates to the difference between child-centred practice or research approaches that place importance on efficiencies above care of the research participant; such as gathering research through online questionnaires, like survey monkey. Those web-based methods of gathering data mean there is no contact with the researcher, or observations of the child or understanding of the needs of the participant which can be at the cost of young people's care and protection (Skinner et al, 2005). This compares to research relationships that take the time to understand the participant and understand any direct impacts on them because of the interview. With face to face interviews the researcher can make the care of the participant central to the work, and give the opportunity for building

relationships and trust through improved understanding and observation of non-verbal cues etc. (Erikson et al 2010). This method also allows for the researcher to follow up on any identified vulnerabilities or issues post interview which is impossible with anonymised electronic surveys (Finkelhor et al 2005).

Furthermore, these interviews made me consider again the safety of interviewers in terms of the emotional impact of what they are hearing and observing in the interview. There was a sense of hopelessness sometimes, because I knew there was very little, I could do for participants to support them and effect change. Nonetheless, I had a strong desire to respond to their needs. This is where supervision is crucial to reconcile those feelings but also to ensure as a kind of buddy checker, that you have done all you can to facilitate support for the young people.

### **Data Confidentiality**

To maintain a confidentiality for respondents I kept all paperwork and recordings in line with Data Protection Act (1998) and Social Research Association (2005). The recordings were stored in a locked cupboard and I kept them in a locked case during travel. If left in the car for any reason they were in the locked boot. I also used numbers for cities and initials and letters A-K, for participants to maintain that confidentiality. When I asked young people how they would like to be referred to in my study they preferred the letter system to me giving them a false name. Two young people wanted to use their own names, but in keeping with the agreed ethics and confidentiality agreements, I explained this was not an option.

### **The Victim Identity**

Whilst the respondent group acknowledged the reasons and criteria for the interview, not all considered themselves to be victims of exploitation. This was more evident in the narratives of those who had strong attachments with the offender in their cases. This has relevance for how they related to themselves as victims in interview and in context of how they then related to professional intervention and contact. Some had discussed a reluctance to engage with services, but later, as they understood the nature of the offences against them, they recognised their victimhood.

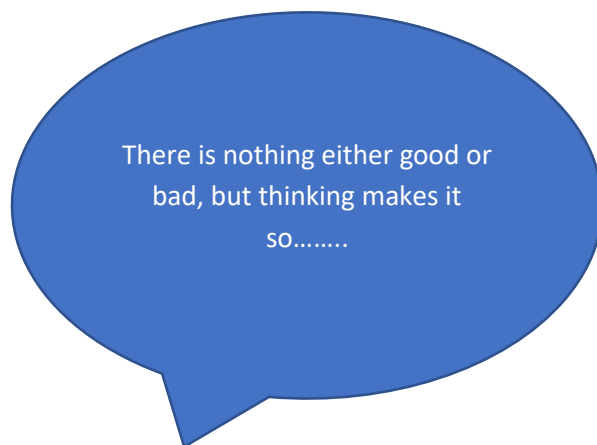
## **Conclusion**

This chapter has provided an overview of the methodology and theory used to guide this research. Critical realism and grounded theory were both drawn upon and informed the approach to collection and analysis of the respondent's subjective data. The methods used to direct and conduct research interviews with vulnerable young people have been described and the flexible processes adopted to conduct, code and analyse this data are fully explained. Finally, the ethical considerations to ensure the safety and welfare of research participants is described. The limitations and challenges to conducting the research discussed and this chapter has illustrated the journey of conducting research with vulnerable young people. The need to keep young people safe and to fully hear their accounts is at the heart of improving professional practice and support.



## **PART 2**

### **Chapter 4 Literature Review – Part 1**



William Shakespeare

## **Summary Introduction: The Literature Review**

The aim of this literature review is to provide a comprehensive overview of a range of literature related Child Sexual Exploitation (CSE), including the early discursive formations of children involved in prostitution, placing the work of this thesis in context with other research findings on the topic. The literature review tracks the shifting parameters of CSE from the early Victorian era to the current day. The methods used to undertake the literature review are explained above in the methodology chapter 3, (page 24). It then moves on to discuss literature pertaining to child victim support and victim engagement with criminal justice and welfare agencies to progress an investigation to trial.

The depth of this literature review will help to support and contextualise my thesis.

The literature review explores the changing language of child prostitution to child sexual exploitation, placing this in historical context, addressing the conflict between victimhood and agency. It then looks at the impact of poverty before moving to address a period of '*welfare enlightenment*'. It explores the use of labelling theory as a way of engaging with the significance of terms used to describe young people affected by CSE, before looking at the furthermore recent efforts of legislation and welfare to protect children. It addresses the significance of gender, explores the meaning of consent and then addresses the role of the media in portrayals of CSE as problems of race and ethnicity. The penultimate section considers the impact of current discourses of CSE and how grooming is being used to discuss exploitation and CSA, therefore are often being subsumed within discourses of grooming and youth culture, such as sexting or revenge pornography, that are not strictly CSE, but are component parts of the problem. Finally, disclosures is discussed and considers barriers to disclosure and positive practice to aid disclosure.

## Literature Review

### The Victorian Era and historical context

Commercial sexual exploitation was recognised as a problem in the Victorian era. At this time, child victims were described as prostitutes and were often considered as immoral distortions of a good child (Walkowitz, 1980). Prostitution was considered '*a necessary evil*' to maintain the sanctity of marriage (Brown and Barrett 2002: 240). There were very few legal remedies to support child victims (Mathers, 2011). The hypocrisy of Victorian values was present in historic accounts, where patriarchy and class-based systems created poverty, and economic policies and the lack of employment opportunities for the poor were said to be responsible for creating child prostitution (Steadman Jones, 1971; Walkowitz, 1980).

Brown and Barrett suggest that the child's decision to engage in prostitution may have been borne out of the imbalance of power and limited opportunities of the poor, which fuelled debates about the agency of the women and children involved.

*During the late 19<sup>th</sup> Century child prostitution may well have been a route taken, or forced upon, the poorest families, or individuals.*

(Brown and Barrett, 2002: 31)

They also note that certain groups were clearly 'unprotected'.

*Children between the ages of 13 and 16 years who were without family or support were unprotected from sexual exploitation because as Purity campaigners suggest they were already out there alone.*

(Brown and Barrett, 2002: 31)

Many factors contributed to the problem of commercial exploitation. For instance, prior to 1889 parents had the right to treat their child as they saw fit and cruelty and punishment were deemed to be an acceptable means of ensuring the child behaved (Gil, 1970; and as set out in the Law of Coverture, 1860). These dominant cultures allowed violence and cruelty to women and children to flourish and led to some children becoming commodities, for use by the wealthy or their own families (Gorham, 1978). Whilst some children may have been resourceful and have had some level of agency in the decision to work in prostitution, they were forced to do so by those economies and by hierarchy and power relations within the family and external to it (Kelly, 2009).

Sociological theories of child abuse developed later helpfully inform the class- and society-based issues of those times (Parton, 2010; Corby, 2000; Gil, 1970)). Gil's (1970) theory was based on his early research on child abuse through prostitution in the 1970's. He concluded that child abuse was related to social class and that psychological explanations on their own were too narrow to explain abuse. This was because standalone psychological explanations underestimated the role of poverty in society. Corby (2000) also noted that abuse relies on the dynamics and interaction between the abuser, the child and their immediate environment. He proposed that '*callous treatment*' was normal in the Victorian era because childhood was not a '*protected status*' (Corby 2000: 15).

*The existence of child mistreatment in history (infanticide, abandonment, severe physical chastisement, child prostitution and harsh labour) is indisputable.*

(Corby, 2000: 15)

The lack of legislation to protect children and women in this era created environments for abuse, due to dual standards and moral, religion-based cultures (Steadman Jones 1978, Gorham 1989, Jackson 2000, Mathers 2011).

Gorham submits that the class system was responsible for creating and steering the issue of child prostitution:

*Had they allowed themselves to see that many young girls engaged in Prostitution not as passive, sexually innocent victims but because their choices were so limited; the reformers would have been forced to recognize that the causes of prostitution were to be found in an exploitative economic structure.*

(Gorham, 1978: 355)

There was an illogical gendered approach to Victorian legalisation because it only applied to females, which meant that there was no set age for a male child to consent to sexual activity (CLAA, 1885). Children were being exploited, trafficked, and sold as commodities and blamed for their own abuse, an issue that has prevailed from the Victorian era into the present day (Jay, 2014; CJJI, 2014; Steadman Jones, 1971). Jackson has reviewed Victorian abuse of children in context of the low conviction rates of the time. She suggests that they were low, because there was a paradoxical view of children, a duality about them being both good and evil;

*Child victims were to be viewed as fallen, corrupt, potentially criminal, and thus needful of reform. Unlike later psychoanalytical approaches that discussed abuse in terms of trauma rather than moral corruption, the Christian dualities of good and evil, innocence and knowledge, promoted widespread sympathy for child victims on the one hand, while on the other hand court convictions were undermined by allusions to the children's precocity that challenged their childhood status.*

(Jackson, 2000: 16)

The Crime and Disorder Act 1998 was the first piece of legislation to challenge the punitive approach to victims. This led to fewer convictions for children in the years that followed. The growth of welfare organisations such as the Society for the Prevention of Cruelty to Children (PCCPA, 1883), later to become NSPCC advocated for women's and children's individual rights helping to raise the profile of children's needs.

It was the work of Josephine Butler, an evangelical reformist, and William Stead, reformist and editor of the Pall Mall Gazette, that led to landmark changes in legislation and introduced female views into government (Gorham, 1978). In 1889, for the first time in history, legislation was passed to protect children; the Prevention of Cruelty to and Protection of Children Act (1889). This was also known as the 'Children's Charter' (Gorham, 1978). This sanctioned laws to intervene between parents and children where there was identified cruelty or abuse and suggested if anyone with care of a child:

*wilfully ill-treats, neglects, abandons, or exposes such child, or causes or procures such child to be ill-treated, neglected, abandoned, or exposed, in a manner likely to cause such child unnecessary suffering, or injury to its health, shall be guilty of a misdemeanour.*

(PCCPA, 1889: CH52:1)

The punishment for abuse was a fine of £100 and, if defaulted on, this could lead to two years hard labour and imprisonment (ibid). This Act also made provision for the fair employment of children and prevented children being used to beg.

Attitudes to children then (and now) were a contradiction. On the one hand, they were the object of love and affection, to be protected at all costs, whilst on the other, they were systematically being abused, exploited and oppressed and that was condoned by wider society and legislation (McKenna, 2014; Mathers, 2011). Brown and Barrett (2002) discuss this and note:

*The balance between control and protection was to become an enduring feature of debates on child prostitution and on the subject of youthful delinquency generally.*

(Brown and Barrett, 2002: 14)

Despite the changes, child prostitution and CSE continue to exist and there is symmetry between historic paradigms and criminal justice and societal responses within current discourses (HMICFRS, 2017; Warrington, 2016; Beckett and Warrington, 2015; CJJI, 2014).

### **Saints or Sinners – Moral Ambiguity**

In the Victorian era, women and children were the '*property*' of their father and parents could delegate the use of discipline to others as they saw fit (Parton, 2010). This also meant that children could become commodities and be sold for sex (Gorham, 1978). Within this era, there was clear distinctions between the constructs of the child depending on their background (the way children from wealthy and poor backgrounds were perceived. In a time of double standards, the children of the wealthy were seen as angelic and asexual,

*Children were seen and not heard, and table legs were covered to avoid any lustful thoughts in high class society'.*

(McKenna, 2014: 16).

Whilst the poor were the '*vulgar*', acting outside of Victorian norms (Gorham 1978: 355). There was also some debate as to whether the puritanical, reformist movements to save poor children were truly interested in saving them or rather interested to obscure the immoral behaviour of these children (McKenna, 2014; Mather, 2011). But Gorham (1982) asserts that this was because the feminine ideal was set within submission to men;

*The ideal woman was willing to be dependent on men and submissive to them, and she would have a preference for a life restricted to the confines of a home. She would be innocent, pure, gentle and self-sacrificing. Possessing no ambitious strivings, she would be free of any trace of anger or hostility.*

(Gorham, 1982: 5)

According to Steadman Jones (1971), the poor were much less engaged in feminine etiquette due to disadvantage and this meant that their behaviour was deemed immoral. The perceived immorality of the poor led to a focus on the child's behaviour as a problem, which has been a recurrent issue for many years in CSE discourses (Coy, 2009; Pearce, 2009; Phoenix, 2006;

Chase and Statham, 2005; Aitcheson and O'Brien, 1997). Whereas Brown and Barrett (2002), have suggested that;

*These attitudes can still be heard in the depiction of children as good or evil in current debates.*

(Brown and Barrett 2002: 241)

Using these examples of male abuse of power, reformists in the Victorian era created a narrative of male abuse of females (McKenna, 2014; Mathers, 2011). Commentators of the time argued that some of these issues were created by the age of consent to sexual activity being too low, which allowed adults to prey on children and adolescents (Mathers, 2011; Jackson, 2000; Winniffrith, 1994). The campaign to raise the age of consent was aided by William Stead's, '*Maiden Tribute of Modern Babylon*' articles that depicted the presence of juvenile abuse through prostitution and trafficking by wealthy men (Gorham 1998: 17). These articles were considered sensational but did lead to change in the age of consent to sexual activity, being raised, often termed '*Stead's Law*' (Gorham, 1978: 18).

The missing factor in the history of child prostitution in the Victorian era is the abuse of boys. These gendered approaches did not recognise an age at which boys could not be sexually active or abused (Melrose and Barrett, 2002; Weeks 1989). Whilst legislation has moved on, the poor recognition of boys at risk of CSE is still a live issue that resonates today.

*Despite growing interest in the UK and internationally in child sexual exploitation (CSE), policy-makers, practitioners, researchers and the media have tended to focus primarily on female victims. Consequently, the sexual exploitation of young males has been largely overlooked and remarkably little is known about this group, their experiences, vulnerabilities or support needs.*

(McNaughton Nicholls et al, 2014: 3)

The Victorian era was also a time of hypocrisy, when the prime minister, members of parliament and princes, symbols of positive morality, '*openly visited brothels and invited 'sex workers to 10 Downing Street for tea*' (Gorham, 1978: 355). How many of those 'sex workers' were children is unknown.

From the early 1870s the term '*white slave*' was used to denote the violation and abduction of innocent youth (Brown and Barrett, 2002: 15). That term was used again in 2011, by the home secretary Jack Straw, and subsequently by the British Nationalist Party, to misinterpret

the issue of CSE as one of race. The phrase was used again by Barnardo's in their trafficking campaign '*puppet on a string*' (Today programme, 2011; Barnardo's, 2011). This shows a clear symmetry between current paradigms of CSE and the understanding of trafficking and abuse in the Victorian era.

Above I have set out early Victorian responses to sexual exploitation and the rationale behind the rise of child abuse through prostitution. However, changes began in earnest after the First World War in 1918, when continued reformist challenge ensured growing awareness of women and children. At this point in history, children became valuable due to the decline in births, caused by the number of men who died in the war and served abroad (Brown and Barrett, 2002).

### **The Child is Valuable and Should be Protected**

Whilst there were early attempts to raise the age of consent and protect children, it was many years before the real protection of the child came to fruition (Weekes, 1998; Gil, 1970). The Beveridge Report (1942) provided the basis for the age of consent to sexual activity to be maintained at 16 years of age for female children, it also introduced national insurance and the welfare state, with free national health service provision to all (Bryson, 1992). However, sexual activity outside of marriage still carried a strong moral judgment even after the improved welfare state was embedded, because this behaviour was '*frowned upon*' (Behlmer, 1982: 73).

The reforms within the Beveridge report known as the '*Welfare State*', were aspirational and aimed to provide support to all families, particularly the lower classes. However moral dilemmas remained regarding victims of child prostitution because they were deemed immoral and subsumed within discourses of adult prostitution.

In the late 1970's specific models of entry into child prostitution were identified. Those models pathologised the child and their perceived lifestyle choices, so resulted in the child being blamed for their abuse (Cusick, 2002; Pearce, 2002; Shaw and Butler, 1987; Davies, 1978).

### **Lifestyle or Limited Choice? Enduring Debates of Victimhood and Agency**

New theories about what caused child abuse and general harm to children emerged in the 1970s and 80s, thanks to research into inequality related to gender; race and power relations in families (Coy, 2009; Kelly, 2009; Davies, 2008; Brah and Phoenix, 2004). These are the basis of feminist theories on gender disadvantage, that helped to contextualise the way in



which male violence and power was responsible for lessening the value of the female (Kelly, 2009; Melrose, 2004; Melrose and Barrett, 1997). Male power oppressed women and children and therefore limited their options to achieve, whilst normalising abuse against females (Kelly, 2009 and 2005; O'Connell Davidson 2005). Coy and Garner (2012) have also emphasised how male violence and abuse impacted on the way children learned to understand abuse and behave as a boy or a girl.

*A robust global and local evidence base shows that sexual violence and harassment, intimate partner violence, female genital mutilation, trafficking and sexual exploitation, forced marriage and honour-based violence are disproportionately experienced by women and girls and perpetrated by men and boys....This does not mean that men are never victims or women never perpetrators, since it is the disproportionality which is the key, and the connections with ongoing socio-economic and political inequalities between women and men.*

(Coy and Garner, 2012: 286)

Coy, also comments that this history of hierarchical inequality is responsible for children learning how to behave as a boy or girl and therefore is responsible for their sexual safety.

*Boys and girls learned how to be and have implications for their sexual safety, their emotional security and sense of place in the world.*

(Coy, 2011: 367)

Indeed, research in the late 1970s focussed on the antisocial factors that triggered prostitution (Phoenix, 2006, 2004; Cusick, 2002; Melrose and Barrett, 1999; Shaw and Butler, 1998). An example of this is given in the work of Sutherland and Cressey (1978), which identified three stages of the journey of a female teenager to child prostitute:

**Drift.** This led to the young person being labelled as '*antisocial and promiscuous*' because they were acting outside of the expected norms of adolescence.

**Association.** This included association with sex workers and this led to the development of an interest in sex work, this stage included '*experiencing prostitution for the first time*'.

**Transition.** The young person becomes a self-defined sex worker, whereby the initial excitement is replaced by 'habit' and need, and they consider themselves

*'professional'* and receive their social acceptance from other sex workers and child prostitutes.

(Sutherland and Cressey, 1978 delinquency model, in Cusick, 2002: 236)

In this model of child prostitution, little attention is paid to constrained choices (Chase and Statham, 2005) or economic circumstances, parental factors and past abuse, that might affect the child. Despite this it was a commonly perceived model that children were believed to follow for two decades.

In the late 1980s, this kind of thinking directed much of the welfare and criminal justice responses to child victims of CSE. Welfare responses were developed around socio-legal discourses which emphasised a legal duty to intervene where there was a risk of or identified abuse by a parent or family member or an *'omission'* to protect the child (Parton 2008). These discourses were not best placed to recognise abuse outside of the family. At this time, the policy and practice within welfare and voluntary services was set around children's exit from prostitution, rather than focussed on the offences against them (Shaw and Butler, 1997). Socio legal discourses did not account for socio-political impacts on the family (Parton, 2011b; O'Connell Davidson, 2005). Those narrow definitions focussed strictly on the parent's offence or failure to protect the child. As such, they failed to understand the wider economic and cultural stress factors that impacted on choices, such as poverty and inequality, or parental addiction and family dysfunction. (Warrington et al, 2017; Coy, 2016; Kelly, 2015; Baldwin and Spencer, 2005). Neither did they account for the abuser external to the family.

### **Poverty as an Intrinsic Component of Child Prostitution**

It has always been argued that child prostitution has been linked to poverty (Adams et al 1997, Pitts 1997, Gorham 1998, Melrose et al 1999). Sangera (1997) described poverty as *'the twin sibling of prostitution'* (Sangera, 1997: 2). Melrose and Barrett (1999) also argued that the changes to benefits for children in the Social Security Act in 1988 created poverty:

*The number of young people who were unemployed and without an income rose from 70,000 to 97,000 (Dean 1997) and by 1994, over three-quarters of 16- and 17-year olds who were registered as unemployed were without any income.*

(Melrose and Barrett, 1999: 2)

And O'Connell Davidson suggested that the labour market in Britain was equally responsible because it;

*Relies on those two groups for whom welfare benefits are wholly inadequate or completely absent – single parent mothers and children of both sexes.*

(O'Connell-Davidson, 1998; Melrose 2007: 19)

The lack of opportunities for the poor and for women in general, meant they were a vulnerable group and often overlooked as such. It was not until the mid-1980s and 90s that qualitative research began to obtain the views of women and children involved in prostitution, to learn directly from them about the issues they faced (Brown and Barrett, 2002; Green, 1997). This research was also completed the cusp of new legislation (the Children Act 1989, and UNCRC 1989), that would reform children's rights and begin to shift the paradigms of child prostitution.

In the late 80s and 90s debates about children's rights, care and control, became a persistent tension within welfare and criminal justice agencies with a duty to protect children (Gillespie, 2005; Brown and Barrett, 2002,) and they remained so until legislation changed in 2003 (SOA, 2003). Support to children who sold or exchanged sex as a survival strategy was often limited, sometimes by the child's unwillingness to engage with professionals, or by punitive measures to control them (Shaw and Butler, 1997). Davies and Feldman (1992) argued that punitive approaches to child prostitution had to change, to shift from a focus on 'exiting strategies' (1992: 2) to more therapeutic approaches, that would achieve better support and understanding of the child's issues. This was taken up by academics in later challenges derived from research on missing children and homelessness (Melrose and Barratt 1999; Pitts, 1997; Lee and O'Brien, 1995). The tension of polarised welfare and criminal justice responses was highlighted by Lee and O'Brien (1995), who argued that children were running away and exchanging sex as way to survive.

*By their sixteenth birthday, some 10,000 children and young people would have run away ten times or more' and, of those, 'one in seven entered in to child prostitution as a means of survival.*

(Lee and O'Brien 1995: 11).

Lee and O'Brien (1995) were clear that these children were vulnerable but were also exercising their power (albeit in a context of limited choices), so '*were not simply passive victims*' (Lee and O'Brien 1995: 3). Those early institutional attitudes and use of outdated legislation has created child-blaming cultures that lacked any real basis or understanding of childhood, sexuality and agency (Phoenix, 2002; Melrose and Barrett, 2002, Pearce, 2002). This still has

far-reaching repercussions for child exploitation victims today (Pona and Baillie, 2015; CJJI, 2014; Jay, 2014).

The preceding section has focussed on the understanding of child prostitution and related theories of inequality, that give some insight to the complex history of CSE prevailing since the Victorian era.

In the next section I outline the reframing of child prostitution to one of CSE and finally child abuse, detailing the processes and legislation by which that was achieved.

### **Welfare Enlightenment from Deviant Lifestyle Choices to Abused Child**

The Children Act 1989, which followed the inquiry into the death of Jasmine Beckford in 1984 at the hands of her stepfather, transformed welfare responses to child abuse.

*It created an enlightened and practical framework for decision-making, whether the decision is taken in the family home, in a local authority office, in a health centre or in a courtroom.*

(Allen, 1996: 1)

During the early 1990s the government commissioned a series of research reviews on the functioning of the Children Act 1989. These were published in 1995, as *Child Protection: Messages from Research* (DOH, 1995). This document concluded that the interventions of welfare services were too focussed on risk and investigations, to the exclusion of proper family assessments, that identified and provided services to children in need. Too many vulnerable children were falling through the net because they were not being considered within their wider environment. It was '*Messages from Research*' that realistically challenged the dominant socio-legal models of child abuse (discussed above) and helped to reframe and contextualise concepts of child abuse external to the home. This included an improved response to children at risk of, or already experiencing, sexual exploitation. In response to *Messages from Research*, in 1997 the Association of Chief Police Officers produced guidance for police officers in relation to those who abuse child victims of prostitution and called for an end to the use of punitive responses to CSE (ACPO, 1997). *Working Together to Safeguard Children* (1999) was supplemented by *Safeguarding Children Involved in Prostitution* (SCIP; DOH et al 2000). The aspiration was that the combined guidance would:

*Ensure that the approach to safeguarding and promoting the welfare of children involved in prostitution and the assessment of their needs is consistent with the approaches used for all children.*

(DOH, 2000: 6)

Following implementation of the ACPO (1997) and DOH guidance (2000) and the National Plan for Safeguarding Children from Commercial Sexual Exploitation (Department of Health/Home Office 2001, updated in 2003), there was a national strategy for safeguarding children from commercial sexual exploitation. The SCIP centrally located child prostitution as a form of child abuse and designated this as a child protection concern. However, this was based on the child's acceptance and admission of being groomed. It required the victim to be coerced or manipulated or to lack the capacity to consent. As such, it was limited in its reach (Hester and Westmarland, 2004). This guidance was challenged as not going far enough to protect some vulnerable victims because it also left the same criminal routes of prosecution in place for persistent offenders (Phoenix, 2002: 355). It was quickly evident that these changes did not safeguard children from exploitation, and that the strategy and guidance were problematic and continued to undermine victims (Low and Pearce, 2006; Hester and Westmarland, 2004; Melrose 2004). It allowed professionals to cherry pick who they would support, based on whether the child identified as a victim or not. Those who persistently and voluntarily returned to selling or swapping sex were penalised through the criminal justice system (Melrose, 2004). This left room for moral or value-laden judgements (Goddard et al, 2005) and for debates on agency and grooming, which are still present in current debates, particularly for victims aged 13 to 15 years old, who can give informed consent and for those 16 and 17 years who can give legal consent to sexual activity (Pona and Baillie, 2015; Pearce, 2013).

This underpinning guidance at the turn of the 21st century did not change the fact that children suffering abuse were being considered separately as either victim or villain (Hester and Westmarland, 2004). Ayre and Barrett, suggested that this was an enduring form of abuse unlike any other, where the victims were held '*accountable and responsible*' for the abuse they suffered (Ayre and Barrett, 2000: 50).

The SCIP guidance was a contradiction. On one hand it proposed there was a need to reconceptualise child prostitution as child sexual abuse, founded on the concept that '*children cannot consent to their own abuse*' (Swann, 2000, 277: 284) yet on the other hand, it used child-blaming terminology linked to adult prostitution and cited offenders as 'pimps', so was challenged as having no place in child abuse frameworks (Hester et al, 2004). This labelling

terminology was mirrored in child protection policy and legislation until 2015. Hester and Westmarland suggest this resulted in those young people involved, becoming a '*target for abuse or shrouded in secrecy*' (Hester and Westmarland, 2004: 116) whose report to the Home Office (2004), made many recommendations about treating child prostitution as a welfare problem and noted that young people were still being considered alongside adult prostitutes and punitive measures were still being used.

*Some of the young people talked very negatively and angrily about their experiences with generic social services. It is important that all social workers, and others working with young people, are trained in recognising the warning signs that a young person may be being sexually exploited and that they are aware of support agencies and their referral processes.*

(Hester and Westmarland, 2004: 125).

This is discussed below in the context of labelling theories, because it is believed that labelling child victims as prostitutes played a significant role in preventing them from receiving appropriate support and intervention. This was due to child victims being grouped with adult prostitutes and therefore expected to '*exit*' from prostitution. The provisions that supported exiting could not meet the needs of children, because they were based on adult services and options, such as detoxing, finding work and claiming benefits, none of which were available to children without parental consent.

### **Inherent Tensions with the CSE Victim Discourse**

The inherent tensions of recognising children involved in prostitution and CSE as victims of child abuse have been exacerbated by the terminology used to describe them, particularly the reference to child prostitution, which has been described as '*textual abuse*' (Goddard et al, 2005: 279). They also suggested that textual abuse is

*A concept that encompasses language that exploits children, minimizes the seriousness of crimes committed against them, and fails to acknowledge their rights.*

(Goddard et al, 2005: 276)

Language and labels became an integral problem for professionals, who were being confused by children's status as a victim or offender (Jay, 2014). However, there were also concerns that to remove this terminology would significantly alter the meaning of this social problem, because it would lose the affinity with inequality, the sex work industry and male to female

violence (Coy, 2016; Kelly et al, 2009; Phoenix, 2006). It is also interesting that the child's voice is not present in these debates as Calder states, children;

*Will not define themselves as prostitutes, because they view that term as 'degrading, labelling and stigmatizing'.*

(Calder, 2001: 31).

Phoenix preferred the term '*young people involved in prostitution*', stating that this '*avoids the 'rhetoric of victimhood*' (Phoenix, 2002: 114). She also contested that the terminology of prostitution did acknowledge the social and material conditions that drive young people into prostitution. This view was supported by the earlier work of Lee and O'Brien (1995) and later in the work of Melrose (2013 and 2010).

However, Phoenix supports the views that an over-reliance on the victim discourse plays a large part in the conflicted professional responses to sexually exploited young people (Phoenix 2012; Lowe and Pearce 2004; Cusick, 2002). Melrose discusses this below.

*These changes completely separated children and young people from the terminology of prostitution and as a consequence, that meant a loss of understanding of how and why this abuse happens.*

(Melrose, 2013: 159)

Issues of child blaming became a central focus of academic challenge for many years. It is important to note that young people can also self-identify as victims and as agents taking control as a means of survival. Pearce (2006) notes this is an important point, albeit that they are again operating within limited choices:

*If a young person has made a decision to act in a particular way in order to survive, they are at least trying to exert some control and power over their circumstances. To label them as a victim without considering their own sense of agency, their self-determination, power, authority and self-confidence, may serve to further undermine rather than empower them.*

(Pearce, 2006: 3)

This is important to understand because often welfare and criminal justice responses labelled child victims as either victim or villain and that response could also be the barrier to their engagement with services. This labelling of victims has underpinned discourses of female

rape, child prostitution and CSE for decades. Labelling terminology has therefore contributed to the blaming of child victims and the failure to act against offenders for decades.

Above, the discussion captures the history of child blaming and labelling, dominant features of CSE discourses for many years. This created dichotomy, where professionals and children understood the problem as involving a child acting as a victim or a villain. Below, I review this concept under the scope for children to be both victims of abuse and agents of control. I use labelling and social interactionist theory to give some understanding and perspective to these debates.

### **Labelling Theory to Understand the Response to and Actions of CSE Victims**

Labelling theory can be used to understand both the history and social context of child-blaming responses to victims of prostitution and its persistence in current responses to CSE.

Labelling theory emerged in the 1960s (Becker 1963). It is built on the concept that people can become the label that they are given to describe them. It has been used to explain how children can be made to see themselves as a prostitute or offender (Cusick 2002). Through the label becoming socially accepted and widely portrayed, the person ascribed with the label begins to self-identify with it. This is based on a theory of self-fulfilling prophesy, constructed on social paradigms and the meaning we give to, and the way we understand, everyday social interaction and communication. It is a theory related to understanding reality and creating realities, through a lens that can be critical or positive depending on the focus or distortion we want to see.

Alongside this, it is helpful to look at Symbolic interaction theory: a model used to analyse society by creating subjective meanings of events and behaviours (Becker, 1963). Subjective meanings are built through analysis of people's behaviour and what they say that they believe, rather than what is objectively true. From this perspective, society is socially constructed through human interpretation. People interpret each other's behaviour and it is these interpretations that become the situational factors (Becker, 1963). For example, professionals may question why a child would hang around with street sex workers when they might get harmed by pimps or punters. The professional recognises the child as under age and sees the symbolic dangers they face. For the child, the symbolic meaning of sex work and prostitution may be different, they might feel safe with those people because they have no alternative, have been abused elsewhere (such as home), be homeless or addicted to drugs,



and they might find acceptance and comfort, even protection, within this '*risky*' group (Sutherland and Cressey, 1982).

Becker suggests that to successfully apply the deviant label you need '*moral entrepreneurs*', such as the police, politicians, welfare services and criminal justice services to promote the label. The general public then understand what constitutes deviant behaviour (Becker, 1963: 65). It is argued that '*moral entrepreneurs*' (ibid) help society to achieve social harmony. In the context of understanding responses to children involved in prostitution and early discourses of CSE, this explains the deviant labels and criminal justice responses steeped in blame cultures attached these victims. It also explains why some young people are unwilling to engage with professionals, as they find the labelling used by welfare and criminal justice agencies degrading and therefore, feel both protective of their friendship group and safe within that group, so do not understand or relate to professional concerns (Calder, 2001). The need for a positive social response to those young people who were labelled as deviants was highlighted by Payne (2005),

*Most people occasionally act in a deviant way, and the crucial issue is the response of the surrounding social environment to that act.*

(Payne, 2005: 170)

Corby uses the term '*programmed labelling*' (Corby, 2000: 166) to describe this type of transference in the child's or adult's thinking. All too often, labelling a child as a delinquent led to enforced protection, in secure units, (on welfare grounds under section 25 and the significant harm criteria s47; Children Act, 1989). Research has also found that often prostitution was a way of the child gaining control of their bodies (Drinkwater et al, 2004; Pearce et al 2006; and 2002; and Taylor Browne, 2002). This was further explored by Lillywhite and Skidmore (2006) who suggested that,

*Being paid or rewarded for sexual activity can feel like a big improvement on the sexual abuse they may have previously experienced.*

(Lillywhite and Skidmore, 2006: 356)

Other social commentators argued that placing young people in secure units in response to their presumed deviance, was likely to increase their risk through an '*internalisation of deviance and worthlessness*' (Coy, 2008: 1417). This relates to the child accepting and living up to the deviant label and thereby limiting their future choices and actions. Harding and

Hamilton (2008: 1133) note how '*the rhetoric of victimhood*' is also a feature of adult prostitution and '*disregarded by [those] it seeks to assist*'. This shows that there are crosscutting themes for all age groups

Above I explain why labelling and social interactionist theory are useful to understand the development of child-blaming language and deviance in the context of the sexual exploitation of children and young people. It took many years to dismiss these negative labels and to change the focus of welfare and criminal justice services to one of support for the abused child. I move on to look at the changes to legislation impacting on practice with CSE affected young people

### **Legal and Welfare Policy to Improve Support of Child Abuse Victims**

Safeguarding Children Involved in Prostitution (SCIP DOH 2000) (referred to above on page 67) came about because of the challenge to government to improve responses to those children exploited through prostitution discourse. This began to take shape in 1998, with *Whose Daughter Next?* (Van Meeuwen et al 1998), a resource for awareness raising about female exploitation and abuse. It explained a model of grooming that was based on Sara Swann's involvement with the Streets and Lanes project in Bradford. This was a project supporting females only, therefore Swann's model and theory of child prostitution was based on female experiences. Central to Swann's work was her '*triangle theory*' (much developed now), contrasting the child's view of her circumstances; (the child believed she was in a loving relationship with an older man) with the real picture of abuse. The real picture was demonstrated by the triangle being inverted to show the grooming and coercion at play and the sale of the child by the '*pimp*' (boyfriend) to the '*friend*' (child abuser), while the child often had no idea that goods or money were being exchanged for her sexual services (Swann 1998). Swann considered the inverted triangle as the legal or welfare perspective of the child's circumstances, because welfare and criminal justice agencies should recognise and identify the offences taking place, particularly the coercion and manipulation that facilitated the abuse of the child. The triangle model of abuse was supported by a four-stage process that led to the sexual abuse. It called for legal, terminology and policy changes to better protect these child victims.

Around the same time the SCIP guidance was produced, a series of policy and legislative changes were brought to improve child protection frameworks for all children. The first was the Laming report (HO 2003) into the death of Victoria Climbié, and the second the Bichard enquiry (HO, 2004), into the Soham murders. The Bichard report made 58 recommendations

to strengthen local arrangements for safeguarding children. This included a national database for police forces (PND), to ensure information was shared across borders. It also recommended the reform of Area Child Protection Committees turning them into Local Safeguarding Children Boards (LSCB), with independent chairs who had accountability and oversight for how welfare services and other agencies met the needs of vulnerable children. At this time legislation was also updated to better meet the needs of abuse victims and to strengthen the measures in place to monitor and control offenders. The Sexual Offences Act (2003), was launched and implemented in April 2004 as was the long-awaited Children Act (2004).

Child sexual exploitation (CSE) government guidance was updated to '*Safeguarding Children and young people from Sexual Exploitation*' (SCYPSE, DSCF 2009). The definition, in this guidance was also described as too broad and vague (Phoenix, 2012), illustrating that tensions were still present with the updates to policy. However, SCYPSE was instrumental in reinforcing the terminology changes that removed concepts of child prostitution and separated child exploitation from the adult sex industry. It reinforced the calls for a change of terminology debated over the previous eight years (Coy, 2009; Phoenix, 2006; Goddard et al, 2005). The SCYPSE strengthened the idea of the child as vulnerable and the perpetrator as responsible for the abuse. The guidance recognised that any child could become a victim of grooming and exploitation on- or offline. It was up until very recently the most significant piece of guidance on CSE in England and Wales and the first piece of government guidance, to wholly reject the blame cultures associated with children involved in prostitution.

The evolving terminology around CSE has been highlighted as part of the problem in both seeking clarity but also adding to the confusion amongst some professionals. Whilst there is evidence that the terminology changes have resulted in reductions in criminalisation of children (Phoenix, 2012) it was also argued that they reframed the issue as discussed above. Jago and Pearce began a two-year review of Local Safeguarding Children Boards' responses to CSE (Jago et al 2011) two years after the SCYPSE guidance was issued. This research concluded that the thresholds for children's services intervention with CSE victims was too high and called for it to be lowered. This echoed earlier research by Chase and Statham (2005), Scott and Skidmore (2006), Clutton and Coles (2007 and 2008) and Harris and Robinson (2007), which considered interventions to protect these victims at the respective times to be lacking any real structure, true understanding or welfare and criminal justice vigour. Writing about this research, Pearce (2014), noted that

*Approximately three-quarters of LSCBs [were] not proactive in implementing the dual aim of the 2009 Guidance of protecting children and young people and prosecuting abusers.*

(Pearce, 2014: 162)

In 2011, Beckett drew similar comparisons in studies with children in care in Northern Ireland and concluded that recognition of CSE and intervention with victims was poor and professional levels of awareness of this problem were inconsistent.

*Current levels of awareness of risk indicators were observed to vary considerably across professionals, even between those working within the same agencies.*

(Beckett, 2011: 73).

Professional misunderstanding led to a lack of child-centred practice, but also a lack of children's voices within strategies and policies to meet the needs of these victims. Warrington (2010 and 2013) challenged that there was a very limited input to policies and frameworks in the form of 'LSCB structures, that included the voice of the child' (2010: 63). She concluded that at the heart of policy that directs safeguarding frameworks there was:

*An absence of the direct experiences and perspectives of children and young people' to contrast the voices of professionals and legislators and a 'clear lack of true participation.*

(Warrington, 2010: 63)

Jago et al (2011) found that only '24% of (89) LSCB interviews', reported that young people had been involved in the development of their CSE strategy (2011: 26).

The reports discussed above all highlighted the importance of the voluntary sector's specialist role in responding to young victims. It is important to note, that whilst all these changes were called for, the voluntary sector and other agencies such as health and youth offending services were already supporting CSE victims to the best of their ability. However, that support was within the confines of limited understanding, funding, policy, legislation and terminology that worked against the child. According to Jago et al (2011), this lack of awareness was because there was no coordinated approach or links between child protection processes and specialist agencies to deliver support to these victims.

*The safeguarding approach needs to be linked into child protection procedures when appropriate... and specialist work needs to be linked into the generic delivery of services to ensure that the response to the needs of young people is holistic, rather than fragmented.*

(Jago et al 2011: 64)

Despite the changes in legislation, policy and guidance noted above, children were still being convicted of soliciting offences until 2010 (Phoenix, 2012). Interestingly in 2018, a landmark case was won in the High Court to remove soliciting convictions from the disclosures of three women who were children when they were groomed and criminalised for soliciting<sup>3</sup>. The High Court ruling found that the DBS disclosures scheme was '*arbitrary and indiscriminate*' (ibid) and therefore provided inadequate assessment of present risk in any employment, so was unlawful. This High Court case clearly demonstrates the legacy of punitive responses to children involved in prostitution, which are still being challenged today. This landmark ruling will no doubt have untold financial consequences for the government, police and welfare services, because it strengthens the case for compensation to those victims affected by these issues, in the early history of CSE and throughout the journey to recognise CSE as a form of child abuse.

Above I have considered the terminology in use within significant welfare, legal and policy changes leading up to the SCYPSE (2009), which changed the paradigms of CSE. The SCYPSE attempted to capture many understandings and forms of abuse within the context of the sexual exploitation of children. This is important to note because the respondent's in this study will have been in contact with welfare and criminal justice agencies using that policy and legislation as guidance in how to respond to sexually exploited victims. Therefore, these findings contribute to what is known in previous reviews.

The SCYPSE (2009) definition incorporated issues of grooming via power imbalance, technology and also focussed on the concept of exchange as a primary exploitative factor. This included children and young people exchanging or being coerced to exchange sexual favours for food, a roof for the night, for love. This focus on exchange has continued to be the distinguishing feature of CSE in the newly published DfE Guidance (Beckett et al, 2017). The concept of exchange is an important tool within grooming for abuse, because any child,

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<sup>3</sup> (R (QSA and others) v Secretary of State for the Home Department and Secretary of State for Justice [2018] EWHC 407 (Admin). Via May Bulman Social Affairs Correspondent. "Landmark Court Ruling Could Decriminalise Street Prostitution in UK." The Independent. Independent Digital News and Media, 17 Jan. 2018. Web. 17 Feb. 2018.

as young as three could be groomed, as soon as they understand the rules of exchange. At the time of the 2009 SCYP guidance, the evolved terminology had largely been implemented in practice, yet the Sexual Offences Act 2003 still used the term '*child prostitute*' until 2015, (HMSO, SOA appendix A, ss47 and 49, 2003) and retained the right to prosecute victims who were '*persistent offenders*'. Indeed, CPS guidance continues to use and refer to child prostitution to describe crimes against exploited children (CPS 2015). It is no wonder then that the criminal justice system is lagging behind welfare and voluntary sectors in understanding CSE, given the persistent use of child blaming language.

It was many years until support strategies shifted from exiting strategies to therapeutic and child protection ones. But during this shift the focus on the deviant child was changed to one of passive victims because, this language better suited child protection frameworks (Chase and Statham 2005). The changes of terminology did not resolve the debates about how children, particularly 16 to 18-year olds, were making decisions, exerting their agency, through '*constrained choices*' (Pearce, 2014; Chase and Statham, 2005). Pearce discussed how agencies saw the actions of the child as risky behaviours rather than as a response to lack of choice or support from professionals below:

*Instead of being understood as victims of abuse, sexually exploited young people (particularly the 16 to 18 age group) were invariably perceived to be consenting active agents making choices, albeit constrained, about their relationships. As such, they were seen to carry responsibility for what happened to them, and consequently, the blame for the abuse that follows.*

(Pearce, 2014: 163)

Factors such as coercion and the use of force were overshadowed by a focus on the child's agency, with the child then being left feeling responsible for what was happening to them (Hallett, 2012). For this reason, Pearce (2009), noted that changes needed to happen as CSE became subsumed within safeguarding or child protection processes because of the traditional focus on younger victims of intrafamilial abuse. This was a position shared by other academics (O'Connell Davidson and Anderson 2006) and Parents Against Child Exploitation (PACE, 2014) also believe that current child protection frameworks are not suited to working with victims of CSE, because they are based on abuse within the home or family environment. PACE also built a relational model to show the context of the abuse, to ensure practitioners could differentiate it from CSA and support accordingly. PACE wanted to ensure that the welfare input was not based on the child or family being perceived as the problem (PACE 2014).

The final confusion arising from the new terminology proposed in SCYPSE, was that there was no legal basis, or offence of, Child Sexual Exploitation in legislation. This became a tension for criminal justice agents to recognise and prosecute child sexual exploitation offences (Paskell et al, 2014; CPS, 2013a). This also demonstrated that '*child sexual exploitation*' placed responses in welfare systems, unlike the terminology of 'children involved in prostitution' which located the issue firmly within adult prostitution and therefore criminal justice responses.

The use of the SCYPSE was characterised by a failure of local safeguarding children boards (LSCB) to implement guidance consistently (Jago et al 2011, Ofsted 2014). Evidence suggests that this is an ongoing problem today, because there are still diverse national responses to victims of CSE (HMICFRS, 2017; HMIC, 2015; CJJI, 2014; Berelowitz et al 2013). To some extent this has been caused by inconsistent adoption of this guidance and later by the creation of several action plans and CSE guides (OFSTED, 2013; ACPO, 2012; CEOP, 2011; DFE, 2011). These included different versions of government guidance and legislation in Wales and Scotland (Welsh Government 2014 and Scottish Government 2014). Within specific cities there might also be different police and welfare plans that combined have resulted in inconsistent responses to young people abused through CSE (Jay, 2014; Jago et al 2011). This was evident in the Ofsted thematic review of sexual exploitation in 2014, that found that 4 out of 8 LSCB's inspected did not have any CSE action plans in place (Ofsted 2014).

Above there has been exploration of policy and legislation and their impact on child prostitution discourses that have played a significant part in creating cultures of disbelief. Further, this has not only failed to identify the victimhood of some exploited young people but have led to statutory agency failures to protect them (Jay, 2014). This would be unheard of in any other child protection arena. Throughout this review of guidance, gendered models of CSE have prevailed. Whilst this is not an area I will review, there are some pertinent points about gender constructs and services to male victims of CSE, that some of my respondent group have alluded to in their feedback. For that reason, I have included a short piece about gendered constructs below.

### **Gendered Constructs – The Missing Male Victim of CSE**

Gender constructs are a key feature of CSE and are underpinned by dominant constructions of the way that rape and sexual abuse have traditionally been understood. This has led to confusion and debate on children's understanding of their masculine and feminine roles and

their understanding of sex and sexual consent (Coy, 2016; Horvath et al, 2013; Paskell et al 2014 and Martellozzo et al, 2012).

In the history of child prostitution and CSE, the male victim has been less visible. The understanding of the male victim has been overshadowed by a focus on female victims and stereotypical views of male sexuality (Cockbain et al, 2014; Chase and Statham, 2005; Palmer, 2001). This is evidenced in research spanning several years that highlights that boys are significantly underrepresented in statistics on CSE yet, were still being exploited (Cockbain et al, 2014; Harris and Robinson, 2007; Lillywhite and Skidmore, 2006; Chase and Statham, 2005; Palmer, 2001; Lee and Obrien 1997). In fact, one of the large-scale media studies of CSE (Norfolk 2011), excluded any reference to male victims and it was considered to have done so, to further prove a widely held stereotype of CSE (that this coverage promoted).

It was Cockbain et al (2014), who provided statistics that illustrated the extent of under reporting of male victims of CSE and suggested that one in three victims of CSE are boys.

*The UCL research, supported by Barnardo's, looked at 9,042 records of children and young people affected by CSE since 2008 and found 2,986 (one in three) of those were male.*

(Cockbain et al, 2014: 3)

Further, a recent study by ChildLine also highlights that many calls to their service are from boys and phone records show that '*over 3,000 boys called to talk about CSE*' (Lilley et al 2014). Given the parity between issues facing male and female victims of CSE, it is even more baffling that the history of CSE has focussed so strongly on female victims. The hidden picture of male CSE, and the strong emphasis on female victims, has arguably led to agencies losing sight of the male victim or solely associating male victimhood with homosexuality or 'gay culture' (Harris and Robinson 2007). In this construct, the male victim is undoubtedly seen as an active agent, making free choices to engage in gay culture. The misunderstanding about the male victim is rooted in the lack of CSA and CSE cases in the public domain (Radford et al, 2011; Maikovitch -Fong and Jaffee, 2010; Barth, 2009; Finklehor, 1984). It was only in 2003, when the police began to look at offences against the person, that sexist, misogynistic thinking about who can be a victim was removed, yet the work with male victims and service offer to male victims is minimal (2007; Dominelli, 2002). Therefore, there is still a gaping void related to the known numbers of boys being exploited and in-service provision for them (Cockbain et al, 2014; Horvath et al, 2013).



Perhaps the latest scandal of grooming for sexual exploitation within sport, (mostly concerned with males as victims, (APPG, 2012) will begin a process of change. These gendered models of CSE have also failed to recognise or respond to the fact that males and females over the age of 10 years, can also abuse others, and that awareness has only really improved with children's developing use of technology (Martellozzo et al, 2016; Webster et al, 2014; Ringrose et al, 2012; Sharples 2005). However, a new issue arises with this use, as knowledge of peer abuse and sexting as grooming, has blurred the lines between CSA, CSE and sexually harmful behaviours and therefore, children recorded as committing an offence on police systems, even if they are the victims because, they have distributed imagery (Ashurst and MacAlinden, 2016; Hackett, 2014). It can therefore be argued that the shift from the terminology of CSE to include peer on peer abuse, sexting and gang related sexual exploitation has begun the process of better identification and support to male CSE victims. However, it has also highlighted a new gendered problem, where males are primarily viewed as the antagonists, the perpetrators of the CSE offence (Phippen, 2012).

This culture of sexualised bullying has led to new legislation to protect children from themselves and others within the Criminal Justice and Courts Act 2015, generally referred to as a law of '*revenge pornography*'. Clearly, those issues remain of children being at risk of becoming both victim and villain, this time through youth cultures and an extension of bullying, that is played out on social media, via technology (Ashurst and MacAlinden, 2016; Phippen, 2015). Whilst Phippen (2015, 2012) would argue that boys are also at risk, Ringrose et al (2012: 6), consider this an age-old double standard are at play.

*Sexting is not a gender-neutral practice; it is shaped by the gender dynamics of the peer group in which, primarily, boys harass girls, and it is exacerbated by the gendered norms of popular culture, family and school that fail to recognise the problem or to support girls. We found considerable evidence of an age-old double standard, by which sexually active boys are to be admired and 'rated', while sexually active girls are denigrated and despised as 'sluts'.*

The use of technology and sexting is relevant because this is now clearly an adolescent activity and sexting, whilst not strictly CSE, has led to the exploitation of 2 respondents my sample group, therefore sexting is a component risk of CSE. Further, the social conscience has been raised as a result of sexting cultures, therefore, the online activity of children has improved recognition that any child, regardless of age and gender can be at risk of grooming and exploitation, either face to face or voyeuristically.

**Understanding Consent and Grooming as a Tool for Recognition of the Abuse** Much of the above discussion raises questions about whether children and young people understand the impact of the abuse they commit or more importantly, experience. To elaborate on this a little further, Pearce suggests that there are gradients of consent involved in contacts with those we know and with new individuals. The gradient of consent given depends on several factors, such as levels of coercion and manipulation, poverty, the normalisation of sexual violence and /or professional oversight. She explains this in a model based on existing disability models;

*A social model of consent would address the social and environmental features that impact on young people's ability to consent and would help practitioners to assess the different ways that a young person's capacity to consent can be abused, exploited and manipulated.*

(Pearce, 2014: 53)

Coy (2016) argues that suggesting a child can never consent, removes the child's agency. She asserts that the suppression of young people's agency is '*both cause and consequence*' of the *separation of CSE from prostitution and has 'underscored the violation and violence involved*' (Coy 2016: 577). Jackson, a CSE victim who has written about her experience has also discussed her limited choice to consent or exchange sexual activity with one individual or another as, 'making the best choice from a bad lot' (Jackson 2011: 54). In this statement Jackson is recognising that the abuse has led to her constrained choice of having to choose one abuser over another, to avoid worse abuse or punishment. This mirrors factors identified in an extensive range of literature that has suggested peer on peer abuse is a growing problem linked to youth sub cultures and gang cultures (Pearce and Pitts, 2011; Barter et al, 2009; Horvath and Kelly, 2009).

Pearce's model of consent (Pearce, 2013) challenges the current definition of consent (section 74 of the Sexual Offences Act, 2003). Pearce's social model of consent argues that freedom and capacity to choose can be impacted by individual, environmental and social factors, such as past abuse, desperation, manipulation and coercion. Consent cannot therefore be relevant where there has been any of those threats. This is what commentators refer to as young people being given a choice within a limited space for action (Kelly, 2003; Jeffner 2000).

This challenge is similar to that of Liz Kelly's continuum of sexual violence first mooted in 1987, when she interviewed 60 women who were suffering violence and sexual harm in intimate relationships and adolescence. These 60 women had made complaints to the police and described their experiences as '*a continuous series of elements or events that pass into one another and cannot be readily distinguished*' (1987: 45). They note however that these events end in the rape or physical abuse of the woman. The Sexual Offences Act (2003: s74) states '*a person consents if he agrees by choice and has the freedom and capacity to make that choice*' (Home Office, 2003).

Coy et al (2013) suggests that young people today do not have a dialogue about consent in their sexual encounters and there was a real '*lack of coherence and logic*' about what constituted consent for young people (Coy et al, 2013: 21). Now hopefully to be addressed through legislation in the form of the Children and Social Work Act (2017), that has legislated for sex and relationships updates in schools.

As understandings of CSE mature, there is a risk that grooming through technology will feature more than any other form of abuse (Coy, 2016: 7). Whilst this might be a natural shift, given the development of technology that brings the risk of grooming into a child's home and pocket (Demarco et al, 2017; Sharples, 2005), it might also mean those other forms of abuse are still present, but will become less visible (Coy, 2016; Melrose, 2013).

*The development of new technologies (the Internet in particular) may have had a profound effect upon the manner in which child sexual abuse is perpetrated, by creating new and easier opportunities for perpetrators to anonymously target a larger number of victims.*

(Davidson and Martellozzo, 2005: 2)

Because of these changes, the issue of street-based CSE has been somewhat eclipsed by online issues in the last 10 or so years. There have been rapid changes to how CSE is understood in context of on and offline grooming and voyeuristic offences in a digital world (Demarco et al, 2017; Webster et al, 2014; Davidson and Martellozzo, 2005). Whilst commentators generally acknowledge that digital technology is an important educational and development tool, the passage of time does not reduce the fear that pocket sized technology has opened a world of risk to children (Ofcom, 2015; Sharples et al, 2005). Even those children who do not have phones or equipment like this, are vulnerable, because they have aspirations to own them and that desire can be the vulnerability used to groom and eventually exploit them (Martellozzo et al 2016).

Like Coy (2016), Gillespie (2009: 74) warned against a focus on online grooming to the omission of other forms of grooming. He likened this to the '*stranger danger*' and public health campaigns of old that failed to identify and address interfamilial abuse. Interestingly, those debates do not consider new terminology that reframes an old problem, such as abuse through association with the night time economy. Within these new discourses of '*grooming and sexually harmful behaviour*', there are many factors that can impact on understanding true consent, none more concerning than young people experimenting and engaging in youth cultures, because they live their lives through technology, where they are equally powerful and vulnerable at the same time.

The section above discusses grooming and consent in context to CSE and new and emerging issues of risk, such as youth cultures, adolescent experimentation and social and sexual development using technology, that can become component factors of exploitation. These means of social engagement might also mean the victim and offender are less visible, because as knowledge develops, so does the wider focus of welfare and criminal justice agencies. This means the older forms of CSE are missed through the current focus of CSE as grooming, peer on peer abuse, sexting, trafficking through other forms of exploitation such as county lines; and gang and drugs distribution (NCA 2017). CSE is still prevalent regardless of what we call it and there is evidence in wider literature that it happens on and off line and in many contexts, some of which have not been fully explored or understood.

In the next section I have captured an overview of media related issues in context of reporting CSE and the portrayal of victims and offenders, that has perpetuated misunderstandings about who is at risk and from whom and who is to blame for the abuse.

### **Media Hype and Stereotypes - CSE as an Issue of Race**

Whilst media reporting on CSE has been limited, the media has been used in different ways to draw attention to this form of abuse. From the early work of Stead (Gorham 1978), there are examples of the media being used positively and sensationally to tackle issues of abduction and trafficking. The most recent examples of CSE in the media are from 2007 onwards, when a new moral panic was played out in tabloids and documentaries that created a clear stereotype of the victim as a white girl and the offender as an '*Asian male*'. (Norfolk, 2011; Straw, 2011; Papadopoulos, 2010; Hall, 2007). This type of media portrayal began with Annie Hall's (2007) documentary on social services response to Asian Muslim males, grooming White British Girls in Bradford West Yorkshire. This documentary was called '*Edge of the City*', (Hall 2007; Channel 4). It was used by the British Nationalist Party to further their political agendas

(BNP Broadcast 2007), because of the racial connotations depicted within its cities This is an example of how controlled media, with a specific intention, can cause sensationalised coverage and it successfully diverted the focus from issues of CSE to one of racism. Sadly, this is not the only coverage to do so (Crier, 2011; Norfolk, 2011; Straw, 2011), despite clear evidence that this issue is more complex than one offender and one victim type (Cockbain et al, 2011, CEOP, 2011). Whilst undoubtedly being responsible for better awareness of the issue of CSE, these media portrayals have led to the invisibility of other victims and perpetrators as discussed above (Berelowitz et al, 2013; Firmin et al, 2013; Lilywhite and Skidmore 2006).

Hall's documentary was followed by a Times newspaper expose' of the number of Asian males prosecuted in the country for CSE (Norfolk, 2011), which refuelled the race row. His report was prompted by a speech by MP Anne Crier about the issues in Bradford (ibid) and detailed prosecutions in thirteen separate cities, of fifty-six men who were found guilty of grooming and exploitation of white British girls. Of those found guilty only 3 were white British; the remainder were British Pakistani, Muslim males. It is not clear whether the ethnicity and religion of these offenders presented in the Norfolk report is assumed or factual (Bingham et al, 2015; Jewkes 2011). This coverage began a 'race row' in earnest, that was then compounded by Jack Straw (then MP for Blackburn) with his comments on the Today Programme about Asian males exploiting vulnerable white girls;

*These young men are in a western society, in any event, they act like any other young men, they're fizzing and popping with testosterone, they want some outlet for that, but Pakistani heritage girls are off-limits and they are expected to marry a Pakistani girl from Pakistan, typically...so they then seek other avenues and they see these young women, white girls who are vulnerable, some of them in care... who they think are easy meat.*

(Jack Straw, Today Programme, 2011)

This kind of sensationalist media coverage was responsible for continuing a dominant, gendered and racial stereotype about CSE for many years (Jewkes, 2011; Papadopoulos, 2010). Poor media coverage can also become one of the barriers to disclosure, which is discussed below.

## **Understanding Barriers and What Assists Children to Disclosure**

There is interesting research related to disclosure and gender that explains why disclosure is withheld or given. In this section I try to draw mainly on texts that have learned directly from children or adult survivors of abuse, why they disclosed or didn't. For example, London et al (2008) have noted that boys, younger abuse victims, some ethnic groups and children with limited, or fragmented family support are much less likely to disclose, than those who are older, or have strong supportive families. Tener and Murphy (2014) stress the significance of the reaction from the individuals the child discloses to as an important barrier. McElvaney (2008) completed a review of two large scale studies of abuse the first being Kogan et al (2005), a study reviewing child abuse victims who disclosed in adulthood (263) and the second, Smith et al (2000) which was a study of female adolescents between 12 and 17 years (288). She found a large proportion of the victims in those studies were reluctant to disclose due to concerns about upsetting their parents. This was evident in my respondent group, where young people used siblings as a means of disclosing to parents, and that appeared to ease the process for them and gave the parent/others, time to reflect and consider the disclosure before speaking to the child. This acknowledges that disclosure is not a one-way process for victims, but an event that happens in the context of communicating and relating to others (McElvaney, Greene & Hogan, 2011).

Furthermore, McElvaney (2008) discusses similar findings, noting that the parental disappointment relates to shattering the parents' view of their child as innocent and childlike. Following the abuse, the status '*child*' can become a contradiction as the sexual activity appears to remove the child's innocence. Teenage victims can then be treated as adults or expected to operate in adult arenas which they cannot negotiate, due to their emotional intelligence and biological/sexual maturity being at odds (McElvaney, 2012; Papadopoulos, 2010; Corby, 2006). Within discourses of CSE, the actions of teenagers who are abused are often conflated with their assumed promiscuity or consent to sexual activity (Coy, 2016;), Where there is a negative response to disclosure, this validates the child's guilt, anxiety, and self-blame. Allnock and Miller (2013) discuss this in the context of cultural norms and suggest that by infantilising their children, parents create barriers to disclosure. They also suggest that this links to closed or indirect communication styles, that do not prepare the child for adolescence. Furthermore, the perceived agency or lifestyle choices of the child becomes part of the barrier to disclosure as discussed in detail below.

Warrington et al (2016) also discuss the wider family issues as a barrier to disclosure where family dynamics such as poor relationships can also add pressure to a victim to withhold disclosure, a key finding in earlier research (Allnock and Miller 2013). Fear of the offender can also prevent disclosure, particularly if the child does not believe they cannot be safe if they disclose.

*Children's propensity to tell increased where they expressed confidence in the ability of services to keep them physically safe and prevent ongoing contact with the abuser.*

(Warrington et al, 2016: 56)

There are many other factors that play a part in silencing a child's disclosure. These can be fear, opportunity, continued contact with offenders or fear of consequences should they not be believed or held responsible for the abuse (Allnock and Miller 2013; Hershkowitz et al 2007; Goodman-Brown et al, 2003).

According to wider literature on CSA, such as Alaggia (2005), boys tend to delay disclosure due to fear of being seen as a homosexual and the related stigmas and this is somewhat preceded by wider beliefs that at boys are rarely abuse victims. More sinister reasons for delayed disclosure relate to boys also believing stereotypical views that their abuse means they will become an abuser (Mitchell, 2016; Maikovich-Fong and Jaffee, 2010; Barth et al, 2009)

Girls seem to subscribe more to ideas that they will negatively affect others by disclosing (Allnock et al, 2009; Goodman-Brown, 2003). Fontes and Plummer (2010) also examined the cultural reasons for lack of disclosure in CSA cases and found that issues of shame, religious beliefs and honour-based concerns were the reasons for lack of disclosure.

A study in Israel of a national data set supported these barriers to disclosure but also noted that the type of abuse and identity of the suspect can play a part in preventing disclosure when children are questioned (Hershkowitz et al, 2007). The difference in time between the abuse and disclosure is also varied and according to other researchers, the choice to disclose is age related with much younger children often disclosing sooner than older ones (London et al, 2005; Keary & Fitzpatrick, 1994). However, Hershkowitz et al (2006) suggest this is due to the younger child's understanding of sexual taboos or potential consequences and may be because young children are so '*socially immature*' rather than more programmed to disclose (2006: 448). Some studies have also suggested that children might have tried to disclose and

their '*cues are being misinterpreted by adults*' (Hershkowitz et al 2006: 449). This is discussed below in context to interviews with 60 young people who were interviewed about their varying experiences of abuse.

*The young people's accounts suggest that proactive intervention by others may have helped at the time they were experiencing abuse, which supports other emerging evidence of the importance of other people in the child's educational and social environment asking questions to prompt or provide children with an opportunity to tell. Seven young people said that they did not disclose because "no one asked.*

(Allnock and Miller 2013: 30)

These factors highlight why there is delayed disclosure or non-disclosure and research also found that many children do not disclose at all in childhood (London et al, 2005). When disclosure is made, it is not always planned, as Priebe and Svedin (2008) explain, many disclosures are accidental or indirect. A conceptual framework, '*containing the secret*', was developed by McElvaney et al, (2012) and in this they identified three key dynamics in the process of children's disclosure; 'active withholding, for many of the reasons outlined above, 'the pressure cooker effect' the child could no longer contain or cope with the secrecy, and confiding' where children tell but not always an adult or professional, it is often friends. Other relevant research (Allnock and Miller, 2013), found that many contexts of isolation were key factors or barriers to disclosure.

*Some young people reported being isolated geographically; for some that meant living in the countryside with little contact with others apart from at school. Others felt that they were isolated because of their experiences.*

(Allnock and Miller 2013: 24)

That isolation also extended to school holidays where for some victims there is less contact with a safe space and more contact with their offenders (Allnock and Miller, 2013).

However, there are also examples of what supports children to disclose or improves the experience for them. For example, many children will choose a parent or friend of a similar age to disclose to (Shackel, 2009; Ungar, 2009; Priebe & Svedin, 2008) because they find it easier than speaking to strangers (McElvaney et al, 2014). Other studies have highlighted the importance of teachers as a resource to disclose to (Allnock and Miller, 2013) and the



significance of being asked, believed and having someone show concern (McElvaney et al, 2014; Ungar 2009). However, Salter (1995) suggests that children will go back and forth considering disclosure for some time before they do disclose.

In this brief section there are examples of many barriers to disclosure and causes of delayed disclosure, that are common in the combined pieces of research cited. Where child sexual exploitation is concerned, to achieve better disclosure we need a shared language and understanding with children and adults about these risks. At present there are so many different terms used to discuss CSE, or risk of it, this might also be a barrier to disclosure. Strong family support, good relationships and opportunities to disclose are what children tell us they need to enable them to disclose (Allnock and Miller, 2013; Plotnikoff and Woolfson, 2009). This will rely on true participation; as Warrington (2015) asserts, children must have an active voice in any decisions, plans or strategies related to CSE. She asserts that this must be '*true participation*' not simply long arm consultancy with children and young people.

*Children's participation in sexual exploitation services is often tokenistic, fragmented and dependent upon individual workers.*

(Warrington 2013: 385)

This section illustrates the dynamics that often work to silence child victims and those circumstances that make them feel safe enough to disclose. But does that become more difficult or easier within developing youth cultures and the use of technology.

This means the future of CSE is almost certainly complex and that will no doubt lead to both positive and negative effects on victims, because some elements will be dealt with well and others will not. Ultimately this will depend on the statutory and government priorities of the time and they are undoubtedly linked to financial pressures, not victim focussed work.

## **CONCLUSION**

A review of literature related to child prostitution and child sexual exploitation was undertaken to give a baseline on historic understandings of child sexual exploitation and those new and emerging themes that we now understand as grooming and online risk. The literature review has discussed the legacy of child blaming practice and labelling terminology that was borne from Victorian values and poverty and challenged through the persistence of children's rights organisations and academics. The historic picture is contextualised within feminist theories of rape, male power, violence and abuse that were partly responsible for the gendered constructs

of CSE for many years. The links to the adult sex industry were considered wrong and morally indefensible.

Labelling theories were then used to explain how child blaming language became socially accepted and how change was achieved through education and awareness, provided through voluntary services and academic challenge. At the heart of this literature review were children's rights and victim perspectives of CSE as understood within adult discourses of exploitation. Consent and child blaming have been central concepts explored and related to current debates of peer on peer abuse and sexually harmful behaviours. The media representation of CSE and its impact on understanding of this abuse have been explored.

The current passive victim discourses still present challenges, but the 2017 guidance which defined CSE as a form of CSA (Beckett et al, 2017) and The Children and Social Work Act (2017), has legislated for improved '*relationships and sex education*' to be rolled out within all schools.

The grooming discourse means that practitioners are learning about offender behaviours that are linked to off and online abuse and through that become aware of a wider child vulnerability.

The literature on barriers to disclosure were considered, looking at what prevents or delays disclosure and what assists children to disclose. I have also briefly touched on the new and emerging issues such as criminal exploitation, now situated within trafficking discourses under an emerging national issue; County Lines, the government's approach to ending gang violence and preventing exploitation through the serious violence strategy (NCA, 2017).

Moving forward, as we focus on contextual safeguarding of children (Firmin 2015). We also need to subscribe to practice that listens to children about their experiences and includes them in the strategies and plans to address these issues. Further, the criminal justice system has been challenged for further traumatising child victims and their families once they have disclosed, due to the investigation, the length of time it takes a case to get to court and the adversarial court trial (Rosetti, 2015). I move now to look at the child victims' experiences of the criminal justice system and court trials. The existing literature in this area is relevant to my thesis as it places my central research questions in context with what is already known.



## **Literature Review Part 2.**

### **Chapter 5: Victim Experiences of Investigation and Courts Introduction**

Research and inspections of criminal justice agencies have emphasised that there is a long history of concerns related to child victims of abuse being further traumatised through this contact (Beckett and Warrington, 2015; CJI, 2014; Applegate, 2006; Plotnikoff and Woolfson, 2009; Pigot, 1989). The research also notes that this is so, despite many years of challenge from within the judiciary and external to it, to improve child victim support (Allnock, 2015; CPS, 2015; CJI, 2014; Lamb et al, 2005; Plotnikoff and Woolfson, 2005). This is relevant to my thesis because my respondents have highlighted and discussed issues similar in nature to those discussed in the wider research below.

### **Achieving Best Evidence – Interviews**

The Achieving Best Evidence or ABE interview<sup>4</sup> can often be the first contact for victims with the criminal justice system after initial disclosure. Although not necessarily the victims first contact with the police or social care. In these interviews, victims are asked to discuss their abuse in several ways, including responding to direct questions and giving free narrative, whilst being recorded (see Powell and Snow 2007). This is often with parents or others outside the room, which can also be a stress factor. There are recommended safeguards and good practices in place to ease this process and experience for child victims (CPS, 2015; MOJ, 2013; CJA, 1991), often called special measures; even though that term relates to the directions agreed at court for a child to give their testimony. Special measures are in place because children are considered to be '*intimidated witnesses*', due to their age, (status as a child), maturity and general vulnerability, which create power and relational imbalances for the child (Lamb et al 2005). The Achieving Best Evidence guidance (MOJ, 2013) and the Victims Code (2015 and 2013a), recommends that joint police and social care interviews take place with child victims. This is suggested to draw out the best evidence of the child, because the professionals bring different knowledge of the child, different skill sets in the interviews. Further this allows for improved knowledge of processes and procedures to bridge the gap between practices within criminal justice and welfare agencies. This system also gives opportunity to develop relationships and trust quicker if the child is with a professional, they already know and perhaps already trust. Clearly these interviews are difficult and often

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<sup>4</sup> The Criminal Justice Act of 1991 determined that a child's evidence-in-chief could be presented at trial by means of a videotaped interview held by a police officer and a social worker. The Memorandum of Good Practice on Video Recorded Interviews with Child Witnesses for Criminal Proceedings (1992) contained the initial guidance, which was subsequently updated by Achieving Best Evidence in 2002, 20011, 2013 and 2017. The guidance published in 2013 also updated the victims code (cps 2013a). Available from: [https://www.cps.gov.uk/sites/default/files/documents/legal\\_guidance/best\\_evidence\\_in\\_criminal\\_proceedings.pdf](https://www.cps.gov.uk/sites/default/files/documents/legal_guidance/best_evidence_in_criminal_proceedings.pdf)

traumatic for child victims, due to the nature of child abuse. As such, it would be challenging to change that experience and several pieces of research have shown that child victims have regularly described ABE interviews as '*intimidating*', '*embarrassing*', '*abusive*', '*awkward*' and '*scary*' (Beckett and Warrington, 2015; CJI, 2014; Hayes and Bunting, 2013; Smith and Milne, 2011; Plotnikoff and Woolfson, 2009).

It is prudent to note that the criminal justice services are usually only involved where a child victim has already suffered a significant abuse. It is crucial therefore that those services can be sensitive to the needs of young victims and take all steps necessary to enable those victims to give their best evidence (Beckett and Warrington 2015, CJI 2014). However, research and inspections tell us that there has been long term and ongoing practice concerns in this respect (Beckett and Warrington, 2015; Allnock, 2015; Plotnikoff and Woolfson, 2009; Powell and Snow, 2007). Indeed, the issue of police and court practices with vulnerable child victims has been a topic of debate and contention, for many years (McElvaney, 2015; Starmer, 2013;).

The research noted above has illustrated that good practice is not always followed by the Police when completing ABE interviews, despite there being clear guidance and legislation in place for example, ABE guidance recommends a set structure for ABE interviews (MOJ 2013), this is;

- Establishing rapport;
- Initiating and supporting a free narrative account;
- Questioning; and
- Closure.

A report by the Criminal Justice Joint Inspectorate (CJI, 2014) focussed on child sexual abuse and detailed that negative practices were still in existence in respect of ABE interviews with child abuse victims. This report found that;

- Good practice in relation to rapport building in ABE interviews was not followed;
- Young people were not given enough information or explanations of the process and reasons for the interview;
- Interviews were held in buildings that young people experienced as authoritative and unfriendly;
- The impact of the gender of interviewee and interviewer was not given enough consideration;
- Officers were not always experienced or skilled at interviewing children;
- Low use of intermediaries and advocates or assessments;

- Interviews were generally too long;
- Interviews were regularly run as single agency pieces of work;
- And there was limited use of special measures<sup>5</sup>, particularly with older victims

(CJI, 2014: 19)

The result of this report was a strengthened inspection regime to monitor these issues. But recent inspections and reports commissioned by HMIC scrutinised the police's management of witnesses and found continued concerns with adherence to good practice guidance with vulnerable victims (HMICFRS, 2017; HMIC, 2015). The inspection frameworks that investigate all police activity in England and Wales, (the Police Effectiveness, Efficiency and Legitimacy (PEEL) inspection framework; HMICFRS, 2017; 2016)<sup>6</sup>, found that the current police and CPS practice with child abuse victims continues to impact negatively on those witnesses. The two most recent HMIC inspection reports of the police forces in England and Wales (2017, 2016), suggest that officers lacking in training have completed ABE interviews and as such have failed to engage the child fully, due to being inexperienced (ibid). These findings are no different to the study of Davies et al, (2001), completed following the Memorandum of Good Practice release which was issued as a result of new legislation to protect victims (YJCEA 1999), who found that nearly 40% of 108 interviews with children used posing, prompting or suggestive questions in interviews with child victims, despite these being understood as a more unreliable tactic, than open ended questions (invitations). This also discounts the opportunity for free narrative (Powell and Snow, 2007), an important evidential aspect of the interview. As Lamb et al suggest, it would appear there has been little change in ABE interviewing therefore '*good interviews with children must remain the exception rather than the rule*' Lamb et al (2008: 81).

Whilst there is positive practice noted in more recent reports and a commitment from police services and the CPS to protect children, there are also further concerns about the handling of complex operations, an investigative category that many CSE victims fit within.

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<sup>5</sup> The intermediary special measure was introduced by section 29, Youth Justice and Criminal Evidence Act 1999, Intermediaries work with children from age 2 to age 18.

<sup>6</sup> The State of Policing: The Annual Assessment of Policing in England and Wales: Her Majesty's Chief Inspector of Constabulary's report to the Secretary of State under section 54(4A) of the Police Act 1996. Available: <https://www.justiceinspectorates.gov.uk/hmicfrs/publications/state-of-policing-the-annual-assessment-of-policing-in-england-and-wales-2017/>

*We found that, in too many respects, the police don't recognise or evaluate risk to children well enough. Forces usually deal with straightforward cases of child abuse and neglect promptly and efficiently. However, complex investigations are often less effective and can be badly delayed.*

(HMICFRS, 2017: 92).

These complex investigations have not been as effective as other more embedded policing roles. There is a promise to continue to prioritise sexual exploitation alongside a move towards a focus on criminal exploitation in the future;

*Child sexual exploitation will still be an in-depth theme for 2018, with a focus on the link to children's exposure to gangs. In particular, we will consider the problems of criminality and exploitation across county lines.*

(HMICFRS, 2017: 95)

This HMICFRS (2017) report highlights the pressures of forces UK wide, but also clearly highlights attitudes toward victims and their needs as a lesser priority for some police forces. This criticism is balanced by these services operating under legislative and financial pressures, including budget constraints and staff losses, but there are also fears that these attitudes drive practices that puts the police investigation and needs before those of the child witness (HMICFRS, 2017)

Above I have reflected on the ABE interview and given a brief overview of research and reports that show Police practice is not always consistent or victim focussed. However, that is only one element of the victim's criminal justice system contact. In the next chapter, I focus on the victim contact with court and court processes, including the adversarial cross examination. Chapter 8 begins with a review of the research and legislative changes that began with the Pigot Committee Report (1989) which challenged the judiciary to introduce special measures for child witnesses.

Awareness of the Need for Specialist Support for Vulnerable Victims

*Where child witnesses are concerned, the existing process is quite fundamentally flawed.*

(Pigot Report 1989 S2.15)<sup>7</sup>

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<sup>7</sup> The Pigot Committee Report of the advisory group on video evidence (s28) London Home Office.



Public and Judicial attention was heightened by the need for specific support to vulnerable victims following the Julia Mason trial in the 1990's; a rape victim; who became the subject of a vicious and repetitive cross-examination from her rapist, Ralston Edwards, because he opted for his right to represent himself in court. Edwards then questioned Mason for six days, and he used manipulative tactics to upset and undermine Julie Mason's testimony, one of which was wearing the same clothes he had on during the rape (Fyfe and McKay 2000).

### **The Pigot Report, Aspirations for Change**

The Pigot Report (1989) made several recommendations to improve the support and experiences of child witnesses in court. Most of these recommendations were realised in the Youth Justice and Criminal Evidence Act 1999, under the designation of '*Special Measures*' (YJCEA, 1999). Special Measures are granted to '*Vulnerable*' and '*Intimidated*' Witnesses (YJCEA, S16; s17) and this Act, has been updated many times through updates of the Code of Practice for Victims of Crime (CPS 2013a), most recently in 2018. The current victims code and relevant sections as I completed this review was (CPS, 2013a, and 2015; P2.21, Part B). This code requires prosecutors to give early consideration to making a Special Measures application to the court, taking into account any views expressed by the vulnerable victim. Children who are victims of sexual offences or serious crime are automatically considered as '*vulnerable, intimidated*' victims, unless they opt out of those rights (Victims Code 2015, s17.4).

Special measures are a range of techniques, facilities and equipment's available to victims—such as screens in court, video links and witness services, that facilitate '*vulnerable and intimidated witnesses*' to give their evidence in chief more easily and therefore ideally, makes giving evidence less overwhelming for victims.

Plotnikoff and Woolfson (2009) highlighted that whilst the Pigot report considered the impact of court systems on young witnesses it did not consider communication issues beyond building rapport with a child and of informal surroundings, they did not consider how '*overawed*' children might be with the formality of court and court personnel, or the impact that would have on their ability to give evidence (Plotnikoff and Woolfson 2009:2. 33). This is intrinsically linked to what evidence can be submitted to court and under what means, known as the Hearsay Rules, which incorporated rules of competency and corroboration.

This is relevant because these 3 rules acted as a barrier to successful prosecutions for child abuse for many years. Indeed, the rules of hearsay and corroboration still impact on child

victims today, both in the need for adversarial cross examination in a public court and through the long delays these arguments create, which prevent cases coming to court in a timely manner (Henderson et al, 2012). Plotnikoff and Woolfson (2009) also considered this adversarial package as responsible for child abusers acting with impunity and has been the basis of their challenges to the judiciary since 2005. Over the years these rules, supplemented with more rules and discretionary powers for use by Judges only, have acted as a real barrier to children giving testimony and arguably created countless poor outcomes at court in child abuse cases (Spencer and Lamb, 2012; Plotnikoff and Woolfson, 2009;).

There is research that discusses the child victim's contact and experience within the courts as equally 'traumatic' and bordering on 'abusive' due to the austere adult settings and processes in place, as a result of a defendant's right to a fair trial (Hayes and Bunting, 2013; Plotnikoff and Woolfson, 2013 - 2005; Hershkowitz et al, 2007; London et al 2005; Pigot Report 1989). The defendant's right to have evidence corroborated and challenged is a human right (Article 6 (3d) ECHR), and has created what is essentially an unfair system for child victims to operate within. This is due to them already being disadvantaged in court for a range of reasons; close proximity to offenders, age, fear, power imbalance and intellect (Lamb and Spencer, 2012)

Further harm and trauma to child victims of abuse through their participation in courts trials, where suggestive and harsh questioning has been identified as traumatising young victims. In 1992, Goodman argued that attempts must be made to protect the emotional and physical health of child victims giving testimony. In doing so he recognised that whilst good communication and preparation of a child victim could improve and enhance the accuracy of their testimony, the child could also be perceived by a jury as too prepared, emotionless and rehearsed. Eighteen years later this was also the message from Raedner;

*where careful measures are taken to prepare a child for court and cross examination that could in fact work against them and into the hands of the defendant in the court room.*

(Raeder et al 2010:193)

Quas et al completed research in America with child witnesses 12 years after they gave evidence and concluded that adolescents were more likely to have long term psychological issues as a result of waiting to testify and giving testimony in criminal court (Quas et al 2005). This research discussed methods used by barrister's question children that led to children changing their testimony, some because they did not understand what they were being asked (Lamb et al 2007). These were common tactics used to confuse and undermine a child's

testimony. Further, research directly with children has proven that they were very open to suggestibility and easily confused by smart barristers who could make them agree to their versions of events through suggestive questioning (Plotnikoff and Woolfson, 2009; Hershkowitz et al, 2007).

Plotnikoff And Woolfson (2009) also carried out a large-scale piece of research with child victims about their experiences of court and court processes, called 'Measuring Up'. This research also found that many young people experienced court as '*stuffy and too cramped*', and too formal and frightening, because of all the 'locked doors' (ibid 6). One young person in the measuring up report described court as '*fort knox*' and 45% experienced fear because they saw the defendant whilst moving around in court (2009: 8). Measuring up concluded that children were being further traumatised by their contact with courts and it was unnecessary, because there was support within the judiciary to implement the whole of the Pigot Report, including s28. Judges already had discretion to include child advocates, live link and remote links via another organisation if they so wished. Also, they could agree to the use of intermediaries etc. under s24 of the YJCEA (1999) but they were not routinely used. Plotnikoff and Woolfson (2011) later found that over half the young people in the studies they reviewed, (which incorporated 394 child witnesses, conducted over 10 years) had long term problems as a result of their contact with court and many did not understand some of the questions asked of them during cross examination, which caused them further distress and confusion. Fifty-seven per cent of those child witnesses, remembered being unsure of what they were being asked and being called a liar during cross examination and a staggering 65% of those in the '*Measuring Up*' (2009) report recalled problems with understanding what was being asked of them, use of language they did not understand and fast, repetitive questions where children were not being given time to think and were being interrupted before they had finished speaking (Plotnikoff and Woolfson, 2004 and 2009).

Lamb et al, (2008) state that adults within criminal justice settings have often used language and linguistic styles that are above the understanding of a child or adolescent and in doing so, defence barristers influence the accuracy of the child's testimony and introduce doubt to the jury. In later research by Spencer and Lamb (2012), teenagers were identified as most at risk of miscommunicating because of the '*unrealistic expectations of their abilities*' (Lamb et al, 2012: 26) This can often lead to them undermining their own testimony. Clearly this has significance to CSE victims, as many are teenagers (Beckett and Warrington, 2015; Jago and Pearce). This mirrors findings in research by Zalac (2009) research on cross examination that found that children are much more susceptible to suggestive questioning than adults.

Further, not all special measures suggested in the Pigot report were implemented. The Pigot Committee recommended that courts should be able to take children's evidence at a preliminary hearing outside or inside the court (Plotnikoff and Woolfson 2009). There is provision for this to happen under Section 28 (YJCEA, 1999) as this reinforced the right of children to pre-trial cross-examination. However, this was not implemented until 2013 when pilots began in three cities, often referred to as section 28, which was to be implemented nationally. Section 28 of the Pigot report was the only way to properly address victim needs and avoided the cross examination in its current form. The suggestion was that section 28, introduced new methods of obtaining preliminary evidence from children (evidence in chief) and recommended that the cross examination took place before the trial through an advocate appointed by the court. This avoids the child's attendance at court however; it wasn't until 2013 that S.28 was piloted in three Crown Courts (Liverpool, Leeds and Kingston-Upon Thames). The Ministry of Justice has now published a report on those trials and state they involved victims who were under 16 years of age (MOJ 2016:2). The trials took place over ten months and were completed in 2014. The pilot highlighted that there were 'significant resource and cost implication to running s28' (2016:26) in courts and for criminal justice agencies such as the police and CPS. This has led to further delays in implementing the changes and concerns that judicial districts are not willing to implement the change because they are not willing to divert the funds required to prepare their technology (IT) or actively encouraging the change (MOJ 2016) a different attitude to that found in Plotnikoff and Wolfson's 2007 survey of the judiciary.

Another long-standing issue for children is the long delays to have their cases heard. This was one of the two main concerns that the Pigot report attempted to address and is still an issue today despite a raft of research mentioned above with young witnesses to evidence the harmful impact this has. Despite every government since the 1980's having 'sworn to improve those delays' (Lamb and Spencer 2012: 27) and this issue being raised in state promises to improve young people's experiences of criminal justice systems (Queens Speech 2002 and 2006), there are continued issues with long delays to trial and long delays for children once they are in court (HMICFRS, 2017; Beckett and Warrington, 2015; CJI, 2014).

### **Consistent Challenge and Still Room for Reform**

Above the discussion focusses on the UK model of practice with child victims and outlines consistent challenge to better protect child victims in their contact with criminal justice services and in the court. The three primary issues affecting child witnesses are poor practice of the Police in ABE interviews and investigation and the risk of further trauma to the child linked to

the delays to progress cases to court and the effects of adversarial cross examination on children who have already suffered significant abuse. Whilst provision has been there to introduce safer measures throughout the United Kingdom (YJCEA 1999), they have never been enacted fully. This is because there are tensions with pre-recorded evidence using and introducing inadmissible evidence to the trial (Hearsay). However, the provision in the YJCEA (1999) also allows for evidence to be edited and allows for other special measures to protect the child, such as giving evidence by live link and use of intermediaries. Whilst these provisions have been in place for nearly 20 years, children are still being subjected to adversarial cross examination in court and long delays to court to give their evidence. However, other countries have implemented models of practice based on children's rights to be safeguarded from abuse (UNCRC 1989), in the hope of improving victim support and reducing trauma for the child that have much more child-centred systems and put the care and welfare of the child at the forefront of the work with the relevant criminal justice systems in Scotland (Henderson et al, 2012; Spencer and Flynn, 2007 and 2003; Cossins, 2007), in Israel, who were the first country to introduce pre-recorded interviews as evidence in chief in 1956 (Jackson et al, 2012) and in Norway and Sweden, who have built on a models from the United States; Child Advocacy Model (1980's) and created the Barnahus (children's house) system (Save the Children, 2013), where all the child's needs can be met in one place, including medicals, ABE interviews; giving evidence and therapeutic support etc. The children's society (2013) state that this model is in place to ensure that children are safeguarded in their contact with the criminal justice system, wherever possible, including;

*To spare the child from having to tell his or her story on several occasions and to several individuals, the interview is observed in a different room (a listening-in room) by a judge, who is formally in charge of the procedure, a social worker from the child protection authorities, the police, the prosecution, the defence attorney and the child's advocate. The interview is videotaped and is used in court at the main proceedings if an indictment is made. This arrangement makes it possible to do one interview with the child and the child need not appear in court.*

The whole process aims to reduce stress to the child in the aftermath of sexual or physical abuse. This one stop services, where all the needs of the abused child are met in one place reduce the time a child spends in interview and court, often completing everything they need to do within one or two days. This happens without subjecting child victims to those adult, adversarial court arenas that may cause further trauma and harm. They evaluate very well and have been in place since the late 80s (Save the Children 2013). The distinct difference in

these countries is that children's safeguarding is equal to the rights of the defendant, whereas those countries who have not enacted this right, are treating children as witnesses first and children in need of safeguarding second (Plotnikoff and Woolfson 2012).

The pre-recorded interview is a complex issue and whilst it is recognised there would be multiple benefits to introducing this more widely, the recent s28 trials in the UK (MOJ 2016), demonstrate that there is great cost to adapting the courts and systems to include this measure and pre-recorded interviews could also risk negative outcomes in court because the jury do not see the full impact on the child via video evidence (Henderson et al 2012). Children's charities such as Barnardo's (2011) and the Children's Society (Pona and Baillie, 2015) have raised challenges to government to address these issues and more recently the Children's society have highlighted the additional vulnerability and plight of children age 16-18 years, who are not receiving adequate support as victims or as vulnerable children (Pona and Turner, 2018). These children are essentially described as being caught in limbo, by protracted legal proceedings and outdated attitudes to child victims. In 2004, the Domestic Violence, Crime and Victims Act, was introduced to improve the lot of victims and witnesses, this also introduced the role of Victim's Commissioner and this legislation was updated further in 2012, yet the safety and safeguarding of child victims at court is still an issue today.

With a long line of Government promises failing to achieve what is needed for child victims, further assurance was given in 2015 by the Justice Secretary, Chris Grayling, who announced that there would be reforms to ensure that by March 2015, there would be compulsory training for barristers who take part in sexual abuse cases and that vulnerable witnesses would have the option of choosing to give evidence away from the court building. Despite these assurances there is no evidence to suggest that there will be consistent implementation of these changes, even though the ministry of justice promised the roll out of s28, before February 2017 (MOJ 2016).

## **Conclusion**

Within the literature discussed there is evidence of a clear need for a conceptual shift from unilateral '*business as usual*' working arrangements within criminal justice agencies, particularly the police and courts, to child-centred, welfare-led and multi-agency working that encompasses the safeguarding needs of the child victim. This would better protect victims of CSE and improve communication and understanding of the criminal justice and welfare processes they are subjected to.

These issues are discussed further in the thesis findings, where young people from my respondent group give their views and experiences of ABE interviews and court systems. Sadly, the feedback they give mirrors that highlighted in the research above.

There is also a further risk for child victims of CSE related cases, of general blame cultures that might also impact upon a jury's decision making. More so, given that so much of the recent research on peer on peer abuse discusses the distorted sexual beliefs of young people and 'risk taking behaviours' of victims (Stanley et al, 2016; Pona and Baillie, 2015; Horvath et al, 2013). Young people are typically presented as having distorted attitudes to sex, as frequently accessing pornographic material and being involved in casual sexual activity. As such they are portrayed as a more sexually permissive group (Ashurst and MacAlinden, 2015; Horvath et al, 2013). This media image could now be used to reinforce child blaming cultures. Further, recent research demonstrates that over half of child witnesses who were abuse victims, experienced a number of negative symptoms due to their contact with the criminal justice system and related professionals, such as stress, sleeping disorders, depression, and self-harm (Beckett and Warrington, 2015; Pona and Baillie, 2015; Allnock and Miller, 2013) and this clearly illustrates the need for systemic change.





## **PART 3**

### **CHAPTER 6 – FINDINGS Chapter 6: Findings 1 Disclosure**

## Introduction

*I have hurt myself because loving someone and getting them done for it makes you feel so hurt, it's horrible to go through. If I did see him now, I would break down and be back at square one.*

(YP A)

The child quoted above was abused for two years before finally disclosing due to an unplanned pregnancy. She was 13 when the abuse began. Her perpetrator was in his 30s<sup>8</sup>. This demonstrates the complex dynamics at play for abused children. Disclosure was not originally included in my thesis plan, when looking for examples of the child victim's experiences of the criminal justice system and court. However, it became apparent in the research interviews that disclosure was an ongoing process for these respondents and integral to their experiences with welfare and criminal justice professionals. In particular, professional responses to disclosure were identified as a barrier to disclosing ongoing abuse. All discussed having to disclose several times in their journey to court. This includes to welfare and criminal justice professionals, in some instances several times due to staffing changes.

The respondents' experiences of first disclosure identified in this study are categorised below according to 4 patterns of disclosure. It is important to note that this section only discusses the initial disclosures whilst acknowledging that in the aftermath of abuse, young people are expected to disclose several times to others, including family, professionals, friends, and again in court. A few writers have noted that each time may be as difficult as the first (See Warrington et al, 2017; Allnock and Miller 2013)).

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<sup>8</sup> I have no specific details on perpetrators because it was not a focus of the interview. I therefore only have limited information that was shared in the context of other issues discussed. I cannot draw any real analysis from the perpetrator information but have shared what I can. In some interviews young people did not give much information about the perpetrator/defendants at all, while in others they wanted to discuss them. Note because ethics are a constant feature of interviews I made it very clear at the beginning of each interview that I did not need any information related to their abuse or perpetrator, and that the focus was their experience of professional support and settings.

The respondents in my study discussed both negative and positive experiences of disclosure. Reasons given for the occurrence of a disclosure were varied. They included unintended disclosure prompted by someone else noting a visible injury on the child, or professional or carer responses to changes in the child's demeanour, including self-harm and pregnancy (*'unintended/provoked disclosure'*). Respondents also discussed a need to disclose to maintain their own mental health and emotional wellbeing (*'anxiety-driven disclosures'*) and a need to disclose due to gossip (*'rumour-driven disclosure'*). The final category of disclosure amongst this respondent group was being forced to disclose due to evidence being found that proved the abuse (*'forced/evidenced disclosure'*). For two young people, there was more than one investigation (YPs A and C). In YP A's case there were two offenders, and in YP C's case, there were multiple offenders (approximately 30) and therefore more than one initial disclosure to discuss.

I now turn to discuss each category of disclosure in turn, beginning with disclosures that were unintended and provoked.

## Unintended/Provoked Disclosure

In this section, disclosure commonly occurred after enquiries about the respondent's health and presentation.

*The first one I told my social worker about because they was quite worried about me, well an incident that had happened and were visiting me all the time. This one day she just said, 'What is it? You can tell me', so I said, 'He has told me to lie.' I was trashed so told her everything.*

(YP A)

The child was clearly presenting with signs of stress and her social worker asked a direct question in a way that assured the respondent that she was genuinely concerned about her and therefore disclosure was given, though unplanned. This is an example of positive practice in the context of young people being asked directly about what is wrong, which research has shown they wanted someone to do (Allnock and Miller, 2013).

Another respondent's unplanned disclosure was provoked by an awareness session in school

*No way was I telling then, it just happened, I'd just been in a lesson, about online safety or something and it just made me feel bad, right uncomfortable, so I spoke to the worker from (named the service) after.*

(YP D)

The quote above shows the value of awareness lessons, but also highlights the discomfort young people can feel when they have experienced abuse and struggle to tell others about it, also noted in wider literature and theories on disclosure (see Allnock and Miller 2013; Alexander, 2011; Coleman and Hagell, 2011).

In other unplanned disclosures it was family members asking direct questions that was quite a common factor in provoking disclosure (see below for the analysis of what provoked

disclosures and to whom), although not all respondents disclosed due to family showing concern about them. One respondent told how her mother had instinctively known that something was bothering her,

*My mum was like suspicious and asked me and then went to police after I had told her. I told her on the Sunday and about five days later she went to the police. It was difficult because we knew the person.*

(YP G)

It is interesting that there was such a delay between the mother receiving the disclosure and going to the police. This made me consider whether the child had not wanted to make a complaint, which is borne out in later commentary.

Similarly, another disclosure within the family was prompted by respondent J's sister checking on him.

*My sister was asking me if I was ok. Like two days later I just went 'blah' and it all came out. She cried, and she told my mum, but I didn't want my dad to know.*

(YP J)

This is reminiscent of the conceptual framework discussed by McElvaney et al, (2012), but the child has displayed the 'pressure cooker' and 'withholding' elements of the framework before disclosing. There are interesting dynamics at play here, where the child knows he will lose control of his disclosure but still wants some control over exactly who is told. This child later discussed his anger at how his disclosure was dealt with by his family.

Another respondent also discusses being provoked to disclose by concern from a family member. This respondent did not intend to disclose but her mother had serious concerns about her due to visible self-harm and had therefore rung her school to share her concern. With encouragement she 'confided' in a behaviour support worker.

*I told the behaviour support people at school. I hadn't gone to school planning to tell anyone; it just came out. Yeah well, my mum basically rang her up to say she was worried about me and she was just, like, 'I want you to look after her'. [The behaviour support worker] was, like, 'Are you ok? You can tell me if you aren't' and I was basically low because I had self-harmed the night before, which is why my mum rang, and she just said, 'If you want to tell me, it is ok', so I just told her.*

(YP K)

This demonstrates the need for good communication between professionals and families and is a key recommendation in many pieces of research about child abuse. Indeed, Allnock and Miller (2013) specifically highlight the importance of teachers and school staff in identifying abuse and taking disclosures and managing information sharing appropriately

In summary, unintended and provoked disclosures were the most common types of disclosure amongst this respondent group, with five young people's descriptions of initial disclosures falling under this category. These disclosures were not planned by the respondents and there are many common features of their disclosure occurrences. All (bar one) were provoked by someone caring enough to ask the respondent why they were behaving differently or harming themselves. Two of these unintended disclosures were provoked by sibling concern, one by an awareness session in school and two by parental concern. Only one of these occurrences was linked to a social worker, which supports research that shows that children are more likely to speak to a peer and siblings or teachers (Phippen, 2015; Allnock and Miller, 2013).

### **Anxiety Driven Disclosure**

These disclosures have some parity with unplanned disclosures but are different because respondents discuss being driven to disclose, due to the levels of anxiety they felt. This section begins with an account of an anxiety-driven disclosure to a teacher.

*I'd had enough of it. It was eating me away and basically; I was in such a panic that my mum would find out about him I had to tell. It gets hard to lie about being pregnant when you know it's going to show. I tried to protect him, he didn't want anything to do with me and I was scratching my arms and she saw that. I was flipping terrified.*

(YP A)

It is evident from this account that several factors had been preventing this child's disclosure, including her love for and desire to protect her offender and fear of the pregnancy being found out. Fear of her mother's reaction may have been an added barrier to disclosure. It demonstrates the pressures young people are placed under by those grooming and abusing them, as noted in the wider literature (Beckett et al 2017; Chase and Statham 2005).

Similarly, respondent H below initially wished to protect her abuser but, finally told her teacher his identity after she could not cope with the anxiety over the abuse. She also expressed significant concerns because the abuser was in the same school and she anticipated a 'backlash' for telling.

*I had to lie about who he was, I thought I could keep him safe but [my teacher] was like, 'You know he has used you' and asking why I was protecting him.*

(YP H)

Anxiety is also well illustrated by respondent E below, noting the level of fear she felt about disclosing, which was affecting her physical and mental health.

*I told my best friend [Name] and showed her some of the texts. It was killing me, I could not sleep or anything, I thought we were friends. We talked about it for a few days before I told my sister. She is older than me and I thought she would help me tell my dad. My mum died when I was nine, so my dad has looked after us*

*since then, he has a girlfriend, but I don't like her, and she does not live with us. My sister was great really, she just hugged me and said it was ok.*

(YP E)

Another example of anxiety-driven disclosure comes from YP B, detailing the high level of anxiety caused by having to be evasive and untruthful with the important people in her life.

*I had to lie to all my friends and family. It made me feel so bad then I had just had enough so I decided to tell, so told my sister and she told me mam. It was such a relief but scary too you know.*

(YP B)

This account provides evidence that for at least some young people, an anxiety-driven disclosure could provide some relief, even if it is equally linked to being scared.

So far, the anxiety-driven disclosures have been related to female respondents. The next is related to a male, showing that male children also suffer anxiety, yet his fears included fear of arrest, a factor not mentioned by these female respondents.

*I was like, 'Aaargh I need to tell them' and [I] kind of thought I might get arrested and be in a lot more trouble than I was in.*

(YP C)

The next example relates to a male respondent wanting to disclose due to his mother's anxiety about his presentation. However, he discusses his own anxiety as one of the barriers to his disclosure. It appears that he did make some partial disclosure, stating that 'something bad' had happened, but doesn't say if this was followed up. His actual disclosure is discussed within the section on forced disclosures.



*I nearly told my mum because she was really worried about me and kept getting annoyed because I could not tell her why I felt so low and didn't want to go anywhere. I just mumbled 'Something bad happened' and went to my room.*

(YP I)

These examples illustrate that that anxiety can be both a cause and consequence of disclosure, and in some cases a barrier to it (See Priebe and Svedin 2008; Hershkowitz et al, 2007). The related research does suggest that anxiety is a common barrier to disclosure, where cues are not picked up, (Hershkowitz, 2006). Respondent I discussed feeling low and noted self-imposed isolation as a consequence of his abuse. His mother noted his isolation and the difference in his appearance and behaviour which caused her anxiety. It was some time later that his information was found on his offender's computer, leading to a forced disclosure (see below in forced/evidenced disclosure).

The quotes above illustrate that four young people made disclosures as a result of anxiety and two failed to make disclosures for the same reason. The four who made disclosures due to anxiety were all female. The two who withheld disclosure due to anxiety were male (YPs C and J). Whilst the numbers here are too low to suggest a pattern of disclosure, it is an interesting finding and would warrant further research, particularly the aspect related to the male respondent's fear of arrest.

The next disclosure occurrence sits alone: one of rumour-driven disclosure.

### **Rumour Driven Disclosure**

There is one rumour-driven disclosure to discuss from this respondent group. YP F discusses her peer-on-peer abuse case, specifically noting how the information she disclosed to a friend was used to fuel rumours, which led to her losing control of her own disclosure.

*I told my best friend then the word just spread, you know rumours kind of thing. Then it got back to the boy and he told his mam and she rang my mam and my mam said you have to go to the police.*

(YP F)

This child shows an added dynamic of rumour within peer groups, impacting on peer-on-peer abuse. This is rarely seen with adult-on-child disclosure. However, an added complexity of this case was also that the respondent and offender were in the same school. Loss of control was a theme that appeared in two other accounts of peer-on-peer cases (YPs H and G).

The final category of disclosure identified in this study is 'forced and evidenced' occurrences of disclosure. In the main, these disclosures were a result of either professional suspicion or direct evidence of abuse coming to light.

### **Forced or Evidenced Disclosure**

Three respondents discussed disclosures in this category. The first quote below comes from a male respondent who was visited by the police when they found evidence of his abuse on the offender's computer.

*I didn't really care, they told me what they had found, I didn't deny it. I guessed I might have to go to court. I think I just wanted it all to go away.*

(YP I)

He was part of a widespread police investigation involving one offender and several victims. Whilst he appears to speak in a matter of fact way about the forced disclosure, information presented later in the thesis shows that he later began to struggle, and his mental health deteriorated before he got to court, and he attempted suicide. This is a very sobering reminder of the trauma and aftermath of abuse for some young people. His mother gave her view of how the abuse affected him and discusses significant changes when the abuse came

to light.

*He's damaged now, well forever really. He is so ill he will never be the same boy again. You know when the police officer said what they found, he visibly shrunk. He is nothing like his old self now.*

(YP I's Mother)

However, his bravery in completing the police interviews was instrumental in his offender being prosecuted.

In the next example the respondent discusses being visited by the police and social care personnel after his friends notified the school about his abuse and provided details of an arranged meeting with an offender. As a result of that information, the police had waited outside the school, picked up the individual he was to meet and interviewed him. They then then visited the respondent at school to ask him about that male.

*A teacher came in and said I was needed. We went to the head's office and the police and social worker were there. They said, 'We know what has been happening' and I was like, wow, and thought, 'It's all kicking off, how did they know?' It was all a big shock, a big numbing shock.*

(YP C)

The boy's response once again shows the level of fear he suffered. However, his fear might have also been related to his perceptions of being '*found out*', which is discussed by (Hershkowitz et al 2007) as a barrier to disclosure. This respondent discussed how the police did not actively pursue this offender after he had been interviewed and that it was some years before he was properly investigated and prosecuted, a common dynamic in this respondents' case.

The two disclosures in this category are from males. The issues they discuss are further considered in the section findings 2, which explores how respondents struggled with unplanned visits from the police and social workers, particularly visits to their school.

I have discussed above the different reasons that young people in this respondent group disclosed. There are many commonalities between the respondents' experiences, with many shared vulnerabilities and anxieties. Those who chose to disclose purposively appeared to have more control of the next steps, whereas those who didn't choose to disclose appear to have struggled with the lack of control they had and the lack of choice about progressing to a police investigation. Before exploring these issues, I consider the factors which prevented young people disclosing in the next section; 'barriers to disclosure'. This section considers 5 different barriers to disclosure beginning with an overview of barriers related to protecting self or others from the impact of disclosure.

### **Protecting Self, Offender or Family as a Barrier to Disclosure**

The desire to protect family was a common factor that delayed disclosures in this group, and research in the literature review demonstrates that this echoes findings from wider CSA cases (Hershkowitz et al 2007, Barth 2009). The respondent below discussed protecting herself from her family's response to the disclosure; which was intrinsically linked to protecting family members from the heartbreak of her abuse and the attention it brought to them all.

*The only people I was close to was, like, him, my mum and my sister and it would have killed me to hurt them or break their hearts, so I held it all in for a year.*

(YP H)

For others there is a complex theme, alluded to above about feelings for the offender and therefore a wish to protect them, but also being pressured and threatened by offenders to keep the abuse secret.

*He was telling me not to tell. I was being threatened by him, not that he was going to batter me, but that he had children, and did I want them to have to go through this? He said he would lose his children, and did I want him to go through that, every time I'd go down. And I would get him saying 'you don't want everyone to hate you, do you?' and 'You don't want your mum to be disappointed with you, do you?' and that was going through my head all the time.*

(YP A)

What's described above represents typical grooming behaviour, where the child is given all the responsibility for safeguarding herself, the offender's children and her own family (See Ashurst and MacAlinden 2015; Allnock and Miller, 2013; McElvaney et al, 2012).

Similarly, YP K described being threatened by her main offender, which prevented her disclosure for a long time.

*He threatened to come back with his mates if I ever told. Yeah, that stopped me telling for ages.*

(YP K)

Clearly this is a different type of threat, whilst YP A's offender is playing on her emotions, YP K, is in no doubt that the threat is sinister and not emotionally bound.

The next section discusses cases where perceived disbelief was a factor in silencing the victim.

### **Perceived Disbelief and Child Blaming as a Barrier to Sympathy and Support**

Perceived disbelief and fear of being blamed were factors which inhibited disclosure for one respondent and, for him at least, one of the reasons further abuse took place (this is discussed in most of the wider literature on disclosure as a barrier to disclosing). In this case, the child gave an example of a senior police officer berating him for wasting their resources, due to regular missing episodes at age 13 years;

*Like being told by a police inspector that I was a 'waste of time and resources' because I had gone missing again to London with him.*

(YP C)

This is one case that reflects older styles of policing and has parity with the wider research literature on labelling and social interactionist theories (Payne, 2005; Becker, 1963), because this attitude to the victim affected how he was perceived more broadly as responsible for his abuse, demonstrated in his many quotes throughout the findings and below.

*They just don't understand how it gets to you when they don't believe you. It's just really hard and made me run off with him again.*

(YP C)

For other respondents, there was confusion about whether they were being abused and this was a barrier to disclosure. In this section, those with unreconciled feelings and misplaced loyalty to the offender are prevalent, as with YP D, who explained she did not want to believe she had been abused.

*The hardest person to tell is yourself. I thought we were alright, like in a proper relationship.*

(YP D)

Going missing, particularly running to perpetrators, was a known issue for three young people in this study (YPs A, C and K). It is important to note that others might have gone missing but not discussed that in their interview. Those who did discuss this felt that they were blamed for further abuse.

*I just needed to see him and talk about this [the pregnancy] and my social worker went mad about it, really mad, and said 'How can we believe you if you keep contacting him?'*

(YP A)

In this example there appears to be a lack of understanding and empathy about why this victim needed that contact, but there is also understandable frustration from the professional about the further risk to the child, who also discussed wanting to include the offender in her decision about whether she kept the child. In this case he was not interested in the pregnancy and told her to 'get rid of it', causing her additional trauma.

Evidence from this research demonstrated that family members can also play a role in undermining the child. For YP K it was the pressure of feeling blamed by family that led to her running away with an offender.

*I was blamed for it by mum and aunty, [they] said if I didn't stay out till all hours it would not have happened. So, I just did one... I went for about three days. We stayed at this girl's house though, so I was not really missing.*

(YP K)

Similarly, for the two respondents quoted below, the perceived blame was due to family reactions to their abuse.

*She [my mum] went really quiet, I was crying, like sobbing. She could not even look at me. She just looked so angry and I wished the ground would open. She told me she was disappointed that I didn't speak to her. She blamed me, right!*

(YP D)

Similarly, YP B discusses her wish to be alone after her ABE interview, due to feeling that her mother blamed her because she was so angry.

*She [mum] was so angry at me I didn't even want to go home with her after the interview.*

(YP B)

The level of perceived child blaming is a surprising finding in this data. The professional conduct of the senior police officer mentioned by YP C, was particularly unusual, because safeguarding policy was not followed. In the example described, not only did he berate this child, but he failed to act to protect a 13-year-old who had been missing with child abusers. This reaction reflects similar findings to those within the Jay report (2014), where professionals portrayed young people as making lifestyle choices by rather than seeing them as resilient victims. YP C recalled that the police took no action against the person he had been with and his parents complained about that. His parents informed me that it was a further year before any proper investigation started, resulting only from them continually reporting incidents. In this example there is no sense that the officer understood the impact of grooming, a child's fear of the offender or his own negative impact on this child. Punitive, inappropriate responses like this foster distrust and prevent young people's engagement with professionals, whilst masking the actions of abusers.

Blame cultures have been discussed above. The next barrier to disclosure was mainly from female respondents and relates to their perceived and real experiences of their fathers' reactions to their disclosure. These issues are clearly linked to theories of femininity and masculinity discussed previously in the literature review (Coy, 2016; Ringrose et al 2012 and Kelly et al, 2005)

### **Fear of Father's Reaction as a Barrier to Disclosure**

It is evident from this respondent group that some young people's fears about the repercussions of their disclosure focused on the reaction of a specific parent or person (see Tener and Murphy, 2014). In this sample group, six respondents discussed fears of their father's reaction to finding out they had been sexually active. Regardless of them being victims of abuse, they still believed their fathers would be disappointed in them. In some of these



cases, it is the child's own feelings of guilt that appears to drive this view, because they believed they were consenting to the sexual activity, as with YP A, B and C.

*I was frightened he would not see me as his little girl any more.*

(YP A)

*I didn't dare tell my dad, he didn't even know I was having sex, he was so disappointed in me.*

(YP B)

Another child discussed the perceived hurt she caused her father and how his lack of communication about her abuse made her feel.

*I asked her [mum] not to tell my dad. He does not live with us, so it would have been as easy to keep it from him. But she [mum] told him and I felt mad and upset. I think he was disappointed in me for having sex, he never really spoke about it, but I could tell he was really hurt. I hated that I did that, you know, like it upset them all.*

(YP G)

YP H also asked her mother not to say anything for fear of her father's reaction to her sexual activity, despite the fact that she was a victim.

*Oh no, no, I could not cope, like, I didn't want him knowing that. He would think I was innocent like, well not touched, you know, then get proper angry and disappointed in me.*

(YP H)

Similarly, YPs C and J, both male, did not want their fathers to be told and were distraught at how they initially responded. However, there was some suggestion that this was an issue of their sexuality as much as a reaction to the abuse.

*My dad was gutted. He was sickened by it all. He got angrier than I have ever seen him. All he said to me was 'How could you?'*

(YP C)

This was another worrying finding, although not surprising as it does mirror what is discussed in the wider literature; about child blaming being informed by discourses of masculinity, sexuality and feminine ideals within families, and how this affected both male and female respondents, acting as either a barrier to disclosure or one of the lasting, negative consequences of disclosure.

The findings here reflect the work and theories of Lamb et al, 2008; and Hershkowitz et al, 2007, discussed in the wider literature, which note child blaming in cases of CSA in more detail. For instance, Hershkowitz et al (2007) note that it is not unusual for parents to blame children initially following disclosure. This is supported by the wider literature and often relates to parents' disappointment about the child's innocence being lost (McElvaney, 2012; Papadopoulos, 2010; Corby, 2006). Allnock and Miller also discuss these issues in the context of cultural norms (Allnock and Miller, 2013).

Some respondents have illustrated above that they felt they were to blame for their abuse. But parents, the criminal justice systems and professionals they engage with can cause confusion for them.

### **Dilemma of Disclosure – Agency or Victimhood**

*I was telling them because I knew it was wrong, but I just could not stop, and I don't know why. I was ringing that ChildLine weekly at one point because it was getting to me so much and no one was doing anything about it.*

(YP C)

Conflict arises due to perceived consent (see Beckett et al, 2013; Coy et al, 2013; Pearce 2013) and child blaming attitudes (CJJI, 2014; Jay 2014), because CSE victims do not often conform to the fundamental understandings of a 'good' victim (Reiner, 2010) and because they may be seen to be sexually active through choice (regardless of their age). Their treatment is a result of their victim status being conflated with moral judgements about the sexual activity (see Melrose, 2013).

Successful grooming has a strong impact on a child's ability to disclose. If they perceive they are 'in love' with the abuser they must manage confusion about their status as a victim and their competing loyalties to the perpetrator, their families and to themselves. Victims in this respondent group have dealt with the psychological and emotional impact of their abuse whilst also dealing with perceived rejection, blame, and multiple losses. Research shows that these high levels of trauma can have long-lasting impacts on a child and cause serious emotional damage for many years (Allnock and Miller, 2013; Corby, 2006; Cawson, 2000).

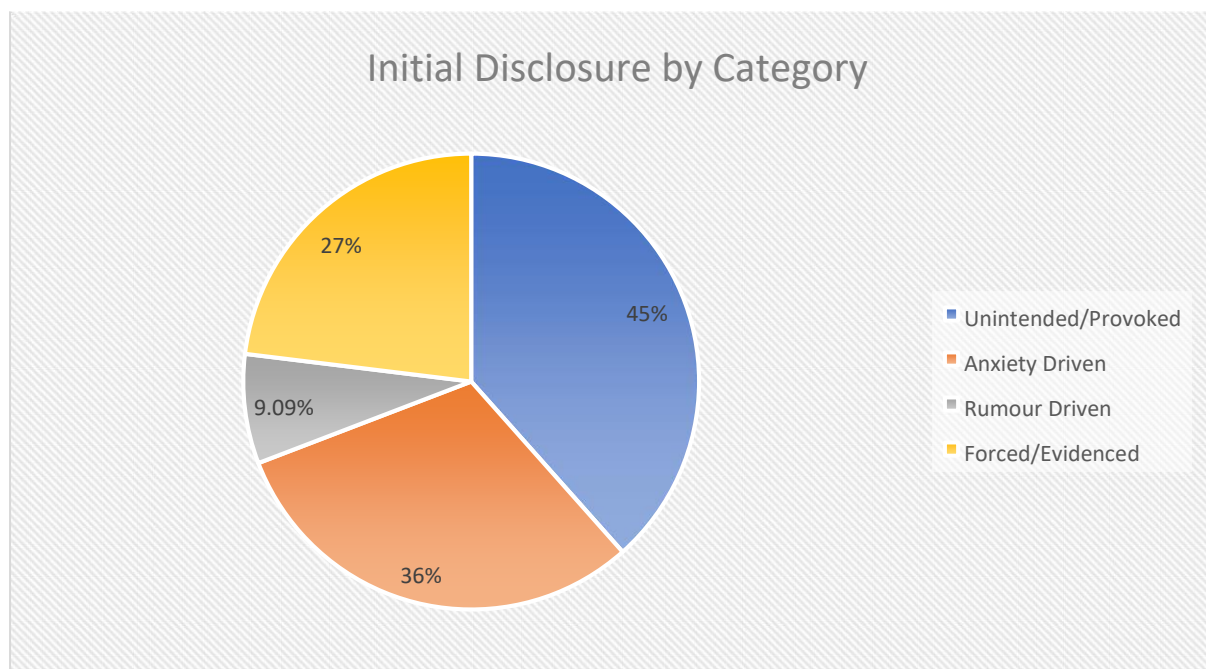
Child blaming can also arise often because teenagers have a desire to be popular and they therefore take risks (Webster et al 2012). These vulnerabilities make them easy to manipulate and groom, whilst outwardly they appear to be making consenting choices, a contradiction that leads to child blaming by parents, victims and professionals alike.

To add to this complexity, a teenager may believe that they have chosen a relationship, as with YP A, B and C, and they may reject any alternative views because they want their choices to be respected. This is discussed below in the analysis of disclosure.

## Initial Disclosure Analysis

Whilst my research involved 11 respondents, two of them discussed two separate investigations and therefore two separate disclosures. Because those disclosures fitted into different categories I have included them in the analysis below, so the figures in the graph below relate to 13 disclosures by 11 young people. This begins with a breakdown of disclosure based on the identified categories retrieved from the respondents' data.

**Graph 1: Initial disclosure by Category**



To summarise, the diagram above shows that for this respondent group, the most common reasons for disclosures were related to unintended and provoked disclosure, followed closely by occurrences of anxiety-driven disclosure. The third most popular category was forced/evidenced and lastly, rumour-driven disclosure. In the unintended/provoked category, the ratio was four females to one male, for anxiety-driven disclosures it was three females to one male and for forced disclosure it was males who outweighed the females, two to one, leaving rumour-driven disclosure for just one female respondent.

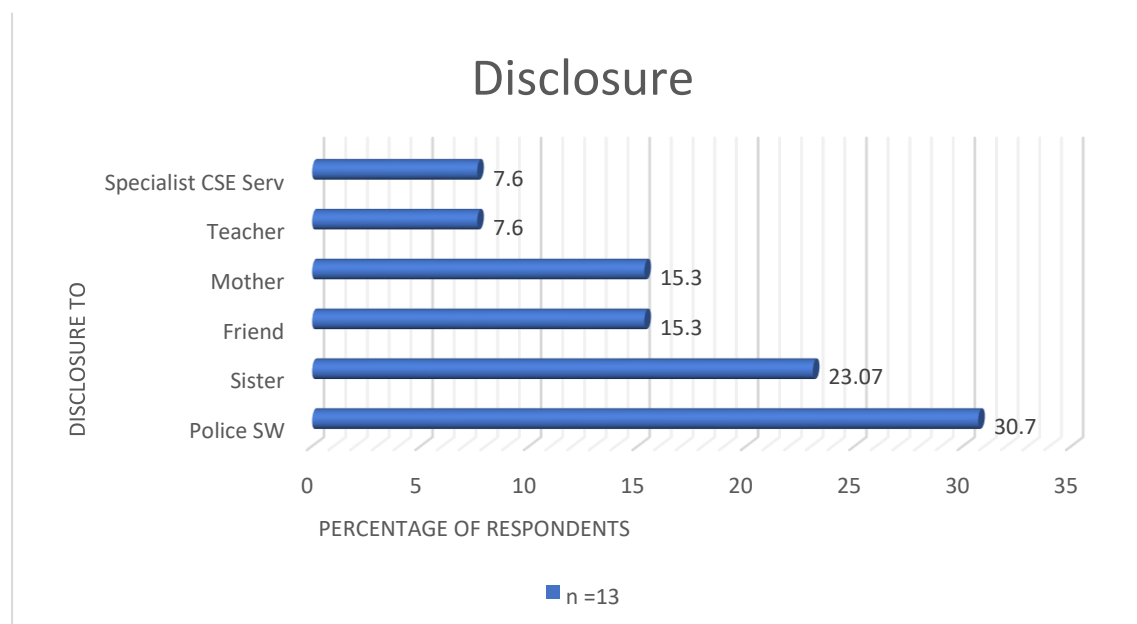
Home and school appeared to be the most common places for disclosure to take place.

**Table 3: Place of Disclosure<sup>9</sup>**

Home	School	Friend's home	Not stated
5	4	1	3

In some cases, the details disclosed were described as being shared liberally with various individuals, which was off-putting for some young people (see below in positive and negative handling of disclosure). Three of the initial disclosures were given to the police or social workers under forced and evidenced disclosure. Other respondents disclosed to a variety of individuals. Among this sample group, disclosure was made to teachers or teaching assistant, sisters, followed by friends, mothers, and one respondent disclosed to a specialist CSE service when they were at her school. These findings are set out in the graph below:

**Graph 2. Recipient of initial disclosure**



The table below gives an overview of the victims and abusers and method of contact to facilitate abuse. I have also included a category where respondents' perceptions of the abuser

<sup>9</sup> Note: I did not ask a question about this, but as most young people stated where they disclosed, I have included the information.

are shown, taken from the analysis of quotes and interviews. Group 1 is all female respondents and Group 2 is male. The gender of the abuser is male for all victims.

Table 4. Gender of victim and Abuser & Method of Abuse

	Gender of child	Gender of Abuser	% of group abused by adults	% of group abused by peers	Method of initial contact	YP Perception of abuser
<b>Group 1</b> A, B, D, E, F, G, H, K	Female	Male	75% (6)	25% (2)	Online 50% (4) Offline 50% (4) –  Place: School 25% (2) Shopping Centre 12.5 % (1) Not disclosed 12.5% (1)	Boyfriend (3) Bully (1) Rapist (1) Friends (2) Not identified (1)
<b>Group 2</b> C, I, J	Male	Male	100% (3)	0	Online 100% Which led to Offline abuse	Friend (2) Gay Culture (1)

Three of the victims felt they were in a relationship with an older man (YPs A, B and H), and expressed romanticised views of the relationship, struggling to come to terms with the abuse.

Even at the end of the trial, two young people were upset about the sentencing of their perpetrator (A and H). The remaining female respondents were clear about their status as a victim post-trial. Half of the female respondents met their abusers online and half met offline either in school, one whilst shopping and one did not discuss this.

The male respondents were all approached initially online, and all abused by adult male perpetrators. Two of the male respondents thought their abusers were friends (I and J). One believed he and his offenders were just engaging in sexual activity as part of 'normal' gay culture (YP C). The male respondents were all very clear about their status as victim's posttrial. Whilst the findings from this group could not be generalised due to the small sample, there are clear gender differences in the methods of grooming used and it appears that female respondents were equally at risk from peers and adults, whereas my male respondents were targeted by adults only (over 18).

### **Common Impacts and Themes of Disclosure**

When considering the impacts of disclosure, common factors discussed by this respondent group are self-harm; constant worry; lack of sleep; self-blame; fear of being considered homosexual; and confusion about their status as victim. Research tells us that the consequences of abuse for children and young people is devastating and can have long-lasting effects, as noted in the literature review. It would appear that many of these respondents (with one exception) demonstrated indicators of resilience, because despite their abuse, their accounts discuss continuing with normal routines such as going to school and mixing with friends.

Many of the respondents experienced abuse for a prolonged period before disclosure, for example, YP C was first abused aged 13, and did not purposively disclose to authorities until he was 15 years old. YP H also did not disclose for two years; and YP A also took two, years to disclose. Some respondents did not give any timeframe at all. Whilst the time between

abuse and disclosure is lengthy, the relevant literature on CSA disclosures does highlight that many abuse victims wait until adulthood and some never disclose, illustrating that for these respondents at least, the time from abuse to disclosure was short by comparison. (Allnock and Miller, 2013; Cawson, 2000).

There was a consensus from respondents that once disclosure took place, they would get help and support to deal with their abuse yet, there were examples of negative handling of disclosure and lack of support to address the abuse and its impacts on young people. This is considered further below.

### **The Impact of Positive and Negative Handling of Disclosure**

One of the direct questions to respondents was: how was your disclosure dealt with and was it a positive or negative experience? (See Appendix A). The responses to this question vary but the negative experiences of disclosure often arose from factors like insensitive handling of the respondents' disclosure. This included the response or reaction of the person they disclosed to, feelings of comfort and the amount of communication and control they had about what happened next. The more people involved immediately after disclosure, the more likely it was that young people experienced the disclosure as negative. The following section discusses the aspects of handling of their disclosures that respondents perceived as negative.

### **Negative Experiences of Disclosures**

The first example of negative experiences relates to YP A's second disclosure to a teacher, where she experienced a sense of disorganisation about the way it was handled.

*I don't know what I thought would happen, because I hadn't planned to tell her. But I felt a bit overwhelmed really because she told another teacher, she told someone else, she panicked, then I had to see the head and then she told social services, it was messy, and I just thought oh god...*



(YP A)

This 'messy' handling of the disclosure related to the number of individuals immediately informed and the chaotic manner in which teachers were involved. This left YP A feeling uncertain about having made the disclosure, worrying about how many people were told.

YP A's other disclosure was also experienced as negative because the social worker said she would go to the offender's home, causing anxiety and fear for the respondent, who then disclosed her pregnancy.

*I told my social worker and she wanted to go to his house and I had to tell, I said 'Look love there is something you need to know about me, I am really sorry, I didn't tell anyone from the first day', then said about the pregnancy and she realised it needs to be sorted properly.*

(YP A)

The next disclosure experience is discussed by YP C. He did not want to disclose but was visited at home by a social worker after a forced disclosure at school. He recounts his first meeting with the social worker to discuss his disclosure and recounts feeling blamed during, which created subsequent barriers to communication between them.

*When I told, social workers became involved. My first meeting was not great. The first meeting with my social worker, she came to the house and it was not more like 'What help do you want or are you all right?'.... She picked up my phone bill and said 'Why do you text this much? My son does not text this much, it is not normal to text this much' and so just instantly the barrier was put up and it still has not come down, we still don't get on at all. She was just really aggressive and not really like... [he named a specialist support worker] who was really sort of kind about the whole thing and gentle... easing me into it. But she came in sort of all guns blazing and I was just, like, 'No I am not talking to you.*

(YP C)

This visit to discuss his disclosure resulted in YP C deciding not to engage with that social worker and was also responsible for him not disclosing further concerns.

*I just refused to speak to her and my mum told her to go, who did she think she was!*

(YP C)

For another child, YP B, similar issues arose immediately following her disclosure, which caused her anxiety due to the lack of communication about a home visit by the police.

*I felt a bit overwhelmed really because I had to see the head and then she told social services and I just thought, oh god. Then the police showed up at my house like and I was just terrified. I was not prepared for that and they didn't even tell my parents they were coming. And my mum and dad didn't know what it was about. I didn't want to talk to them really and they came in and said, 'Can we talk to you on your own?' And I thought thank god, I didn't want to say anything in front of my parents.*

(YP B)

The disclosures above are categorically discussed as negative. They highlight victim blaming, lack of understanding from professionals, lack of communication and the loss of control that victims can experience as a result of disclosure. Below I provide an overview of disclosures that were perceived as more positive experiences.

### **Positive Experiences of Disclosure**

The disclosures that had less initial professional involvement were experienced as positive, well supported and contained. An example is given below.

*My teacher, I told my teacher. I was having a bad day and I got into trouble for being cheeky to my form tutor. My teacher has been with me for a few years and said, 'This isn't like you, what is going on?' I told her I was scared of someone and asked if she would have to tell, if I told her. She said she might have to, it would depend on what I said. I said it was 'really bad'. She was great really, said we could go to her office to have a drink, so I could think about it. I told her some of what happened, and she told me it was very serious, and we needed to tell the head and probably social care and the police. I was gutted but a bit relieved too, so said ok. The head rang my mum and she came to school. We sat in a room together and my teacher told her what I had said then I just told them the whole thing.*

(YP D)

The disclosure from YP D also demonstrates the decisions young people are making even whilst disclosing. For example, this child gave partial disclosure first then later, when she felt able to and safe, she expanded on that. A distinct difference between this example and the disclosures described by YPs A, B and C above is the controlled and measured way in which this disclosure was handled and information shared. This particular disclosure went at the child's pace, it was being done in discussion with her and she was given time to consider who else was told and when that would happen. The support offered following disclosure also went at the child's pace. This was in stark contrast to the disclosure above from YP A, where the child experienced the response as 'messy,' chaotic and panicked.

For another respondent, the disclosure was pressured by her need to stop the threats the offender was making. She noted that this would only happen if she disclosed. Her response to the question about whether the disclosure experience was negative or positive was.

*Kind of positive, I think. I told [my friend] and we told my sister and she was ok about it really. [It was] good I suppose, because I wanted to tell anyway and wanted him to stop threatening me. But they was brill.*

(YP E)

The final respondent describes his disclosure experience as very positive. He was particularly impressed by the way the police officers dealt with it, because they were caring and gave him some choice and control about what happened next. He felt well supported in this disclosure and understood what would happen afterwards.

*They said I had the choice about being interviewed because he would be put away anyway. I didn't have any choice about when I did things but [the police sergeant] was great, he stayed with us. He was really soft speaking and explained things to me, so I understood. He said that a social worker would be visiting and that I could get support from a CSE service if I wanted.*

(YP I)

The experiences of disclosure described above were interspersed with experiences of disclosure that included both positive and negative aspects, mainly revolving around the amount of control attributed to the child.

### **Disclosure Experiences with Positive and Negative Factors**

For instance, one respondent described her mother's reaction as fine, but was also upset because she experienced a loss of control about what happened next with the police.

*My mum was fine, but I didn't have a choice whether we went to the police or not. My mum said, 'It is happening' and it did. I was not ready for it all to come out, so I would have preferred not to at that point.*

(YP G)

Another child discussed her disclosure as quite difficult to begin with, due to a wait after disclosing, but she then had a positive experience of how the disclosure was handled due to being given options about what happened next.

*Well it was in my mum's timeframe really. She was at work and they had to wait for her to get there. Then they took me in one room and I sat in with the teacher and told my mum. They didn't ring the police or social workers then, but when I was in the room, they explained the next steps and said I could tell the police or keep it to myself and from that point I wanted to go to the police and tell them what happened.*

(YP H)

There is a recurring theme in these experiences of respondents being given some choice about what happens after disclosure, which they saw as a positive part of their disclosure.

For another respondent the experience was mostly positive: she was given choices about when she would tell her family and authorities after her disclosure to a youth offending service (YOS).

*I spoke to them after the session, they were all right. It took a while really, I told them nothing much at first then just said it all and they said I needed to tell the police and a social worker, but they would help me do it when I was ready. I waited a few days then told my mum with [YOS Worker].*

(YP K)

And similarly, the male respondent below was really worried about his disclosure, but he describes a process that became manageable due to being well supported by his mum and

sister. However, he does also note the impact on them, particularly his sister who cried when he made his disclosure and notes his anxiety during the process.

*She cried. She told my mum for me, I was shitting myself mate, but it was ok and then we told the police, my mum took me to the police station... she was great.*

(YP J)

The evidence presented describes the mixed experiences of respondents in terms of positive and negative disclosures. Among the five accounts which are fairly positive about how their disclosure was handled (D, E, I, J, K) recurring themes include being well supported, being given choices and experiencing sensitive approaches to their disclosure. Three other young people had both positive and negative factors to discuss in their disclosure experiences (F, G, H) and three were considered completely negative: for YP A, due to perceived actions of the social worker, for YP B due to unplanned visits and for YP C due to the social worker 'coming in all guns blazing' with a negative attitude. Two young people (YP's I and C) discussed trying to disclose on a number of occasions before being taken seriously, something which Allnock and Miller (2013) discuss in their research, noting the need for adults and professionals to identify attempts to disclose.

Most of the respondents make reference to the need to disclose as being on their minds 'constantly' due to the threats they were receiving, continued abuse and, for one respondent, fear of her pregnancy showing (YPs A, C, E & G).

I now move on to discuss the respondents' accounts of how they coped after making a disclosure and what issues affected them.

## Post-Disclosure Experiences of Professional Contact

*It's mad, like, you tell them this really embarrassing stuff then have to see them every day. It was the looks I could not stand, like they treat you like a victim all the time, you know what I mean?*

(YP H)

As the quote above highlights, issues of embarrassment and stigma are present for this respondent. This issue of embarrassment post disclosure with professionals who were involved in the disclosure also affected another respondent in her contact with the teachers and head teacher. This respondent was being supported in school and was worried about peers being present when the teacher and head teacher spoke to her in the corridor between lessons to check that she was coping. Whilst she understood this contact was meant with good intentions, it still caused her embarrassment in front of her friends and, for her, gave daily reminders about her abuse.

*She [the form teacher] spoke to me most days and the head asked me how I was when she saw me – that was a bit embarrassing, though, because people wanted to know what she was on about. It would have been better if she had seen me in her office. I know I made a mistake, but do I have to be reminded every day?*

(YP E)

Respondent E also makes reference to '*making a mistake*', which would suggest she has some belief that she was to blame for her abuse. The teachers in these cases were no doubt ensuring that the respondents were managing, but respondents struggled with those enquiries because it drew attention to them. This is a simple yet important finding because it shows the need for confidentiality and privacy when offering support to a child post disclosure. Young people should be able to choose who will support them and where that support will be

given, to avoid such embarrassment and to prevent highlighting to other pupils that there is an issue. This was also an issue for respondent J.

*We had this lesson about keeping safe and my teacher kept making a big point of checking in with me, so everyone was looking at me.*

(YP J)

Interestingly this child also described feeling like everyone knew about his abuse, like he had it 'written on his forehead' and some of that anxiety related to his interactions with this teacher in the class drawing attention to him.

These quotes relate to experiences of post-disclosure care that respondents have felt embarrassed about. However, there are other factors post disclosure that impact negatively on victims too, such as loss of friendship, having to deal with gossip and stereotypical responses to the victim discussed below.

### **Loss of Friendship**

One respondent did not want to go back to school after she had disclosed, firstly because the boy she made the allegation against was a pupil there, and secondly because of the rumours circulating about her within the school, which also resulted in the loss of a friend.

*She spread the rumours and then we fell out and I missed her, but we could not talk anyway because she was a witness, like, so I was told not to talk to her.*

(YP F)

This imposed break ensured that the girls were not able to mend the rift that started with the rumours about the incident that was investigated. YP F also had a fear of returning to school due to her offender being in the same school and subsequently the same college. This impacted negatively on her and she stated that she 'never felt safe anywhere except home'.



## **Discomfort at School**

For another respondent, the idea of peers talking about him and people at school knowing about his abuse was a source of distress, despite his earlier disclosure to immediate friends and the support he received from them.

*I liked school, so it was weird that other people knew, and people were talking about me. That was a bit uncomfortable, but I had some good friends who were there for me too, so it was ok.*

(YP C)

Above I have drawn on the categories of disclosure from my respondent data. The next section focusses on the respondents' experiences of positive support post disclosure.

## **Positive Support Post Disclosure**

Twenty seven percent of the young people (n=3) discussed positive support from teachers and teaching assistants in school settings.

*My TA stuck with me and was just there, you know lovely about it.*

(YP B)

This quote demonstrates the significance of teaching staff and one consistent person offering support and how well young people can respond to this, a factor echoed in the literature as good practice (Beckett and Warrington, 2015; Allnock and Miller, 2013). Another respondent had a similar positive experience with school staff, and this included additional support to disclose to parents.

*But throughout the whole thing both of the teachers were with me even when I told my mum and I was glad, I could not have told my mum if they weren't. They gave me really good support.*

(YP H)

For another child, consistent support came from a therapist who was the one constant in her rapidly changing world.

*My therapist was really nice too, she was seeing me loads to begin with.*

(YP D)

Professionals in specialist CSE agencies were also highlighted by young people (n=6) as giving positive professional support following disclosure, particularly through the role of the Independent Sexual Violence Advisers (ISVA).<sup>10</sup>

*The ISVA was good at telling me about meetings and things. We went to a meeting with the police and CPS on one occasion.*

(YP G)

*My ISVA worker was great, she was with me all the way through and I am doing peer support with her now.*

(YP H)

The latter quote is a good example not only of positive support, but of the potential empowerment of the child. This evidenced the use of consistent support as a positive aspect of this respondent's experience. It also highlights the benefits of the practitioner's skills and

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<sup>10</sup> ISVAs are based within a range of agencies but in the context of this study all those mentioned came from specialist CSE projects.

experience being used to develop and encourage young people to support other young people going through similar issues.<sup>11</sup>

For another child, a positive post-disclosure experience with a specialist CSE specialist service worker was due to the use of clear communication and the choices given to engage.

*He laid out very clearly that if I wanted to see him again then I could, and it was not like a mandatory thing and that I only had to speak to him about what I wanted to speak to him about and that he would not push me into saying things or get things out of me. So, I did feel relaxed and in control of it all.*

(YP C)

A number of other quotes also indicated experience of positive support from specialist CSE services.

*I didn't get a worker [from the specialist service] unit after the trial, but they are ace.*

(YP A)

*[The specialist service] were great, they went through things in detail and at first, I didn't want them to come, thinking they would be judgemental too, and they aren't, they are calm.*

(YP B)

The quote directly above is interesting because it refers to how 'calm' the specialist support worker was, which was, for this young person, an important factor in her positive experience of professional support. Another child drew on her experiences with the statutory services and

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<sup>11</sup> Through enabling the child to take on a role supporting others, the practitioner provided an opportunity to encourage the child's sense of self-efficacy and ability to effect change – using their skills and experience to help others in similar situations.

contrasted that with what she experienced with a voluntary sector CSE specialist service. Talking of the specialist service she notes:

*They are much better than them; you know [police and barristers]. Oh, and the social worker, I hardly saw her anyway. They [specialist services] support you properly like listen to you, just be there for you really. I saw [Name] nearly every day for the first two weeks.*

(YP F)

The evidence given above suggests that specialist, trained and supported CSE workers can bring additional support to CSE affected young people.

Young people also commented on good practice from statutory agency agencies (n=4) such as the police, children's services, and youth offending workers;

*My YOS worker, she was always phoning me a lot.*

(YP K)

*The police support (volunteer) was good, he was dead friendly, like down to earth you know, easy to chat with. He still supports me now in this other trial.*

(YP C)

In both these examples, young people are highlighting the importance of regular communication and of support staff being approachable and calm. The respondents also discussed the benefit of having a consistent professional working with them, which the literature review noted as a crucial factor for building trust and engagement (See Beckett and Warrington, 2015; for examples of this in the context of direct research with CSE victims). Other young people described receiving positive, helpful support post disclosure from individual staff in a range of other agencies, including statutory services.

*I liked one of my social workers and got a good response from her when I told her.*

(YP B)

*The police [named officer] have been brilliant and even mum said she didn't know what she would have done without them.*

(YP I)

This was true for another child, who also expressed gratitude for good professional support in the form of diversionary activities with a youth worker.

*[Name] was great, he took me out and we did footy and other things that weren't about the case. I preferred talking to him.*

(YP J)

The quotes above are from respondents from 5 different locations and they highlight some geographical variance in professional practice in terms of who is involved with respondents and when. For example, in one area there was no social care involvement, only ISVA and police support (Area 3). In other cities, support was provided immediately by children's services, police, specialist CSE services and therapeutic support (Area 2). Elsewhere, the police and social care led the initial stages and broader support was offered after the victims completed their initial ABE interviews (Area 4 and 5). In one area, specialist CSE support was not provided until the child went to trial (Area 1). The wider literature on police and partnership working does recommend that Non-Government Agencies (NGOs) are involved sooner to improve support to vulnerable victims and to assist communication between the police and victims (Allnock et al, 2017; HMIC, 2015).

This might reflect changing practice and/or individual awareness amongst statutory services but given that all serious case reviews and learning reviews highlight the need for good coordinated multi-agency support it is surprising to find such variance. From the quotes above

it is clear that many respondents experienced the support from NGOs as supportive and positive, but some had to wait for a significant time before they received that specialist support. One area did not provide children's services support at all, deferring instead to the NGO specialist CSE services (Area 3).

The section above presents the experiences of the respondents post disclosure and reflects the variety of agencies involved in supporting the child and at what time they became involved. There are clear differences in how support was arranged and provided in each area, with only area 2 immediately providing a range of coordinated support in line with good practice guidance. Below I conclude this chapter by drawing on the common themes of disclosure.

### **Common Themes of Disclosure**

Despite my reminder to respondents that they did not have to talk about their abuse or offender, many of the sample group discussed their disclosure in detail and gave information about the offenders in their cases. Three also brought the media coverage of their cases along to the interview.

My findings show that there were common catalysts and barriers to disclosure. As noted above, the most common themes that surfaced were aligned to research by London et al (2005), in that many of my sample's disclosures were unplanned, accidental or prompted by the actions of someone else, and many were opportunistic.

Findings from my research show that many young women took a long time to understand the nature of the abuse, as illustrated by YP A (see above) and YPs B, H, and E (see above and below). For instance, YP B only reconciled her feelings for the perpetrator when she realised, he was also grooming other girls.

*People knew about me, but he was also talking to other girls and one of them lived a few doors down from me. That made me realise what a horrible twat he was. I was not the only one who hated him.*

(YP B)

And similarly, YP H was worried about overly harsh sentencing for her perpetrator.

*He didn't deserve to get that long, it was not that bad.*

(YP D)

The male respondents tended to have more clarity about their status as victim and appeared to lack a visible emotional attachment to the perpetrators.

*They got what they deserved. But the suspended sentence I don't understand. If I am having a day when I am anxious anyway, then I see a car like his and panic. I worry about bumping into him.*

(YP C)

*I wanted him to get what he deserved. He is a piece of shit paedo, if I seen him now I would tell him that.*

(YP J)

Evidence presented above indicates that the type of CSE experienced had a bearing on how young people felt about their abuser. A significant difference between male and female victims was that some young women had fallen in love with their perpetrator, which was not a factor highlighted by the male respondents. Gender and sexuality issues were also identified when reviewing the data on fears about disclosure to family (see above). Unfortunately, the sample group were not prompted to talk about these issues, because they were not a focus of the interviews, so this data is limited, but is one of the issues that would be of interest for further research.

The information above has focused on positive and negative factors that are barriers to and reasons for disclosure. The impact of disclosure is briefly considered through respondent quotes and gender and sexuality have been raised as an issue of disclosure. Below, I conclude this set of findings.

## **Conclusion**

It is evident from the respondents' feedback that disclosure is a very complex and difficult process. It is equally apparent that some of the barriers to disclosure are related to attempts to disclose not being picked up by family and professionals. Characteristic of this is how older victims of CSE have been ascribed a level of agency and responsibility for their abuse by professionals that is not often seen with much younger abuse victims. This led in one case to a child suffering clear victimisation at the hands of a senior police officer and social worker, both of whom focused on his agency, rather than his age and legal rights.

These respondents discussed barriers to disclosure that included their fears of repercussions from and for family and friends and worry about disbelief and loss of relationships as a result of the disclosure. Some respondents were involved in more than one investigation and trial, but their experiences of disclosure were not dissimilar: in fact, there appeared to be less sensitivity amongst professionals for those who were repeat victims. Respondents also discussed other factors that caused anxiety and distress post disclosure, such as having to disclose their sexuality, being considered as homosexual or promiscuous. The wider literature on disclosure does suggest that male children will be less likely to disclose than females due to masculinity discourses and being considered gay, which some of my male respondents discussed. In contrast, my respondents did not discuss fear of being or becoming an abuser, which is suggested in the wider literature on disclosure (McGregor et al, 2010; Allagia, 2005). These combined findings show that some of these respondents suffered emotional harm as a direct result of negative professional practice. There are clear themes identified in the



disclosures related to anxiety, child blaming, denial and a lack of choice or control over what happened following disclosure. Conversely there are examples of good practice in how some of the disclosures were dealt with which gave the respondents a feeling of control and a sense of choice and helped to build trust and good engagement. Practice was particularly seen as positive where the disclosure was taken at the child's pace and where fewer professionals were immediately involved. Privacy, confidentiality and respect have been highlighted by these respondents as important when handling disclosure. There are clear implications for policy makers, inspection practice and professional training that would improve responses to young people and ease the anxiety and pressures of disclosure. The respondents' data has also identified some important findings that would warrant further research with CSE victims, particularly the gender differences where there is clear distinction in how male and female victims were approached and abused. The fact that no male was subject to peer abuse might be an anomaly amongst my small sample, but there were definite differences between male and female CSE victims' perceptions of their abusers and how they related to them before and after disclosure: the romanticised views of some females and clear disgust and hatred of boys for example. Respondents also had interesting perceptions about professional actions and attitudes, which they held responsible for missing episodes that caused further abuse and emotional harm to the child.

If these findings are applied more broadly to all CSE victims, they would have strong implications for improving knowledge, policy and practice across a broad range of professional services. As Beckett and Warrington (2015) state, these young people are experts by experience and as such we should learn from them to ensure, where possible, there are suitable interventions, good support in place, and policies and practice that are child centred and meet their needs as vulnerable and intimidated victims. In terms of the respondents' experiences directly with agencies within the criminal justice system, they discuss some quite disturbing individual practices, such as the senior police officer in YP C's case. However, once

appropriate action was taken there were some successful support systems in place and good prosecutions were achieved. There is a consensus amongst these respondents that the police and social care were very much driven by their investigation needs rather than the child victims' need, except in one case, where the child was dealt with extremely sensitively and given options about what happened next (YP I).

I now move on to discuss Findings 2, Perceptions of Control, Communication and Confidentiality, which has some cross-cutting themes already identified in the disclosure findings, but these are applied more broadly to professional and criminal justice services' contacts with the victims.

## **CHAPTER 7**

### **Findings 2: Perceptions of Professional Communication and Confidentiality**

## Introduction to Findings 2

*They came in and just wrestled my phone off me, I didn't know any of them and that's what they do, then expect you to talk to them.*

(YP C)

This chapter explores the respondents' perceived lack of control or choice about engagement with professional's post disclosure. It includes respondent criticism about the levels of confidentiality they were afforded as victims of CSE and concern about the expectations placed upon them by professionals during investigations.

The respondents discussed a distinct lack of communication from the police and social care, which was a feature of the whole investigative process for some of these victims. Respondents also relayed concerns about having to engage with varied professionals, which could sometimes feel overwhelming. Specific examples of poor practice were unannounced visits by the police and social care to obtain property. Also discussed were unannounced visits where the child's needs and voice were subordinate to those of the parent and police. In another example, a respondent discusses the needs of the police investigation outweighing her own, because after weeks without contact from officers, she was visited on her birthday to discuss a matter on her case. The officers did not know it was her birthday until they arrived at her home, showing how little the investigators knew about the victim's biography

These findings also show how regular staff changes made building trust difficult and impacted negatively on communication between families and professionals. In the main, respondents discussed these changes as more frequent when in contact with social care and the police. Also, a key theme arising from the data was the overwhelmingly poor communication they received about the progress of investigations. This left some victims feeling that they were unimportant and, for some, cast doubt about whether they had been believed.

Finally, there are some unexpected findings presented here, such as the level of self-harm respondents discussed as a direct result of perceived professional action or inaction and the respondent's general frustrations in the aftermath of their abuse. These findings begin by reviewing the experiences of unannounced contact from the police and social care.

## **Unannounced Contact to Recover Evidence**

As with the quote that begins this chapter, respondents have described difficult experiences of police and social care professionals carrying out unannounced visits to obtain technology that had evidential value to the investigation. In these cases, the respondents complained that they were not forewarned about the visit and often did not want to give up the items that officers and social workers wanted to take.

*I was fighting with them they were taking my Xbox and my mum was screaming at them to get off me.*

(YP J)

*They just grabbed my phone off me... ragged it off me because I wouldn't let go.*

(YP K)

*The policeman and social worker asked me for my phone and I didn't want to give it up, but after a while I did. It is my only way of contacting my friends and when I said that, he said I would get it back. But it has been nearly nine months and I still don't have it... They shouldn't do that to you, they should be honest.*

(YP A)

The respondents above (YP's J, K AND A), have discussed fighting to keep property that clearly placed them and officers at risk of harm. No doubt family were traumatised by these incidents too, particularly YP J's, who describes his mother screaming. This suggests this is a very difficult experience for the family. Also, YP A, notes that she was given false information about how long it would take for the police to return her phone. She clearly states she felt isolated without her phone and became anxious, which does not appear to have been addressed. Other respondents also discuss having no control or choice about the removal of evidence, for example YP D discusses a search that took place in her home and feeling violated as a result.

*He went through everything in my room, you know, that felt really creepy, like a man going through my things. They took my phone and took some clothes and a pair of shoes I wore all the time. I don't think they realise how it makes you feel, like dirty an' stuff.*

(YP D)

YP I, remembers the lack of discussion or knowledge of the visit that impacted negatively for him. He felt betrayal because his mum had been involved in making the decision for the police to come and remove his items when he was not there. He also did not know if he would get his property back.

*So, no one told me about them coming and taking my iPad or computer. I just came home, and it was all gone. My mum said that was for the best, that they needed them. My head was spinning because I needed some of the things on there, like school stuff and games, I didn't even get a chance to put them onto something else. I asked whether I would get them back and she said, 'I don't know.'*

(YP I)

Clearly the collection of physical evidence is a necessary part of any investigation, but my respondent feedback above suggests that was achieved through a combination of very physical or insensitive handling of victims. This is also discussed as an issue in the PEEL report of 2015 (HMIC, 2015). discussed in the literature review, (part 2, page 89). Victims did not receive proper information about how long their property would be gone for or why some actions were carried out in the way they were.

Some young people had a sense of isolation because their technology had been removed, like YP I, who said 'that's how me and me friends chill, like gaming and that!' and YP A, who felt that was her only means of 'contacting friends. This could further isolate these victims

at a time when they need support the most. There were also some other very serious consequences for young people following these visits. For example, YP C, whose quote began this set of findings, repeatedly ran away following this and other encounters with professionals who he struggled to trust. Other young people (YP J and K) described being shocked and traumatised by these incidents. Indeed, YP K self-harmed directly after her visit.

*It's like you are nothing alright, a big nothing, and they do what they want. I was mad and got right wound up. I cut up my arm after. They just don't get how it gets to you.*

(YP K)

If the police explored the history of the child and were prepared for issues such as self-harm or running away, then support could have been in place before and after the visit. More importantly, there could have been a level of negotiation and the child's consent could have been sought before removal of property, which would help the child to feel they had some control over decisions. This kind of victim led approach is also suggested in the wider literature on engagement with victims in the criminal justice system. (Warrington et al 2017; Beckett and Warrington, 2015; CJJI, 2014;)

Above I have explored a pattern of unannounced visits by the police and social care to collect evidence. This was highlighted by respondents across all 5 geographical cities, suggesting it is a wide issue of police practice. Below I discuss the frequency and impact of police and social care visits to victims.

### **Frequency and Impact of Unannounced Visits**

All respondents experienced a high frequency of unannounced visits from the police in the early stages of the investigations. Amongst this respondent group, there were mixed feelings about these visits. The Peel inspection report (HMIC, 2015) certainly found that support to

victims during investigations required improvement in '27 of 43' forces, and '4 were found to be inadequate' (HMIC, 2015: 8).

This need for support is demonstrated by the quotes below that show little consideration of the victim's needs.

*Turned up out of the blue and nearly knocked the door down. My mum was dead embarrassed and was complaining the neighbours would see.*

(YP H)

Similarly, another young person experienced regular visiting by professionals as problematic because of the potential for neighbours to gossip about the visits;

*They were always there at first just popping in. It bothered my mum, like what the neighbours thought.*

(YP K)

For another respondent it was the sudden change to the number of visits that was upsetting.

*They came down to the house loads. I mean they were there loads to begin with, then you don't see them after when you want to know what's going on.*

(YP A)

whilst for another it was the number and changes of staff on each visit that was upsetting and confusing because the respondent then did not know who was managing her case.

*They were always calling or coming down and it was a different policeman every time, we never knew who was in charge.*



(YP B)

For the next two respondents it was the expectation that they would be available for visits that disturbed them, as well as the fact that they were unannounced.

*I didn't see them for weeks... then they would turn up and expect me to be free.*

(YP D)

*I didn't see anyone for weeks then they would turn up and expect me to drop everything.*

(YP F)

Poor communication and timing of visits was an issue for the next respondent, who was visited on her birthday.

*There should be a bit more of a planned date for interviews and meetings, like they just used to call and say come on. One of those days it was my birthday. It seems just a small thing but to me it was massive.*

(YP G)

The visit on her birthday caused her some distress because she then ruminated on the visit and investigation all day. This suggests that the police put the needs of the investigation above the victims' needs.

*I would try to do normal things, like put it out of my mind, and them coming like that on my birthday just upset me for the rest of the day, I couldn't enjoy it then, that was all I could think of again.*

(YP G)

The quotes above reflect respondent experiences of unannounced visits and give a flavour of the impact of those on respondents, which were characterised as frustration and distress. Respondents also expressed frustrations about not receiving visits to provide information about the progress of the case or telephone updates. That meant they or their families had to chase professionals for updates about the investigation and court dates. For one respondent it also meant reports of further abuse were not responded to immediately (YP C).

I explore this search for updates on progress of their cases below.

### **Chasing the Police – Challenges to Obtaining Investigation Updates**

*My mum was constantly ringing for updates we never heard anything unless she did.*

(YP F)

*My parents were constantly ringing the police and reporting stuff and asking for them to give them an update on what was happening, but they hardly ever got a call back.*

(YP C)

Respondent E noted that they only began seeing professionals, particularly the police, once she had expressed a wish to end their involvement with the investigation.

*I didn't really see much of them until I was going to pull out, then they came round to talk me into carrying on. [They] said that I would let the same happen to other girls if I didn't do it.*

(YP E)

Above the respondents have discussed the lack of information given to them and their families and the impact of staff changes which often caused distress to them. It left these

respondents feeling that they had little or no understanding of how the investigation was progressing. YP H was very vocal about the lack of information she and her family were given and how it affected them, particularly believing that more communication might have given them some insight into the possible outcome at court.

*Maybe if we had known it was not going well, me mam might have agreed to stopping it going ahead.*

(YP H)

This section has focussed on the impact of poor communication from professionals. It is important to note that in most of the quotes above, the young people are referring to the police. Below, these negative views are balanced by some positive experiences of the same unannounced visits.

### **Positive Experiences of Unannounced Visits**

For some respondents, the unannounced visits and phone contact were experienced as useful, even when they were inconvenient.

*The police came round loads. Well they were round loads to begin with, then because my mum went mad and it was difficult then for them, but actually, it was good to get a visit and know where things were at.*

(YP J)

*It was annoying when they turned up, but it meant that we got to know what was going on.*

(YP B)

*My mum went mad when the police just appeared, but it was useful sometimes because they would tell us more about the investigation and it saved us chasing them for information.*

(YP G)

One respondent recollects the visit to discuss trial dates, which was seen as a positive visit;

*They came in and told me and my sister they had a date and I was like, 'But that's only weeks away' and started panicking. They were dead good sorting us out and helping me calm down.*

(YP D)

And for one respondent the visits and calls were experienced as positive and considered to be part of broader welfare support. I believe this is because it was also a consistent officer in his case.

*He came to the house a lot, but he still rang every week as well. He was really great about checking in to see if I was ok and saying what was happening.*

(YP I)

Similarly, YP C discusses a volunteer PCSO who popped in frequently and provided positive support a couple of years after his abuse began. The police had to work hard to engage him after previous incidents that put him off, so the visits and calls from the PCSO were welcomed.

*He was really great, more like a friend dropping in, and he's gay like me, so that made it easier to talk. He was always there like at the end of the phone so that was really positive.*

(YP C)

It is positive that respondents recognise the benefits of unannounced visits even when professionals appear to be putting the needs of the investigation before those of the victim. This illustrates that these respondents could identify with the needs of the investigative services and for some, the contact gave a sense of security because they were able to talk to the police regularly (YP's C and I). However, a central frustration and cross-cutting theme for other respondents was the lack of a consistent police officer or social worker linked to them. The frequent changes of police and social care staff is discussed more thoroughly below.

### **All Change Again – The Impact of Frequent Personnel Changes for Victims**

*They switched round all the time. We never knew who to call.*

(YP E)

The changes in police and social care staff were mentioned more frequently than any other professional.

*I saw a different policeman every time ... and my social worker changed twice. The last one couldn't even go to court with me. She was on holiday so someone from witness services came in with me, that's wasn't fair because we didn't hardly speak.*

(YP B)

For two of the respondents, the need to keep retelling the details of their abuse because of changes in the police staff dealing with their cases caused anxiety and led to the victim retelling her disclosures again and again.

*And there was a different person there every time I went so I didn't really like going. You had to repeat yourself a lot.*

(YP D)

*I spoke to a normal officer and then two men came, and they got took off the case and then I got another man and he left and then I got a woman. Every time someone new picked up the case I had to explain again everything that happened. It is traumatising enough to have to invite strangers into a really personal situation! So, to do it four times was awful.*

(YP H)

For the next respondent it would appear that he was visited by a number of 'junior' police following his parents report to the police of the abuse.

*At first every time they came it was different ones who would come, and they were junior. So, it was really frustrating, because we would have to say everything again and they would say, 'Oh we have to speak to someone more senior about this', then nothing would happen.*

(YP C)

For another young person, the visits by different officers caused family conflict and undermined his already difficult relationship with his mother, who did not want professionals involved.

*Always coming to my house and upsetting my mum... she had already threatened to throw me out, so they made it worse.*

(YP J)

This is supported by broader research that suggests that aspects of wider family vulnerability are not often considered when criminal justice agencies try to engage with victims (Warrington

et al 2017). Another young person compared the consistent support she received from a voluntary sector agency with that of the police.

*I had the same ISVA until the case finished and the police officer kept changing. I had men at first, then a woman and then another man. It was hectic.*

(YP G)

Young people were consistent in their view that there were too many staff changes and that this impacted negatively on the level of contact and on the quality of communication they had with agencies. It was not only police visits that respondents commented on. YP C also felt that the low frequency of visits by his social worker was not helpful, whilst another two raise concerns about the infrequency of social care visits

*I would see my social worker about once every two or three months. That wasn't consistent at all. She was just there to make sure I wasn't being neglected and that things were ok at home. But every two or three months a lot would happen then, and she missed it all.*

(YP C)

*No point really, she would roll in and see me for like 30 minutes once a month, she spent more time talking to my teacher.*

(YP E)

The changes of social workers on cases was central to some respondents' frustrations and had very real and negative impacts such as feelings of rejection and anxiety. For example, the respondent below discusses several changes of social worker, including one particular unprepared goodbye from a social worker that was perceived as abrupt.

*I had a social worker from [named city] for seven or eight months... she just dropped out, dropped me off at a youth centre and just as I was getting out of the car she said she wasn't going to be involved any more... She was one of my main supports, so I was a bit, like, 'what is going on?' but it happened again and again.*

(YP B)

Respondents noted additional frustrations to those noted above when they were ringing social care for updates on their case

*It meant that when we rang up for advice the person had moved and then no one knew what was going on. It was really confusing.*

(YP G)

These quotes illustrate the confusion amongst respondents about the roles of certain professionals. For instance, the Police usually rely on other voluntary services to support victims (HMIC, 2015), and social worker visits are generally set every 20 working days unless a family are in crisis (Working Together 2018). However, respondents had doubts about what meaningful work they could do with professionals if there was limited contact or low frequency of visits. There appears to have been a lack of preparation or follow up for some visits, leaving young people feeling frustrated and angry. This was one of the main cross-cutting themes experienced as stressful for child victims and their families.

Three young people did not have social care involvement in their cases following their initial disclosure and assessments (YP F, G, H, area 3). This is unusual and an example of geographical variance in how cases were managed in the cities covered by this study. In the area where YP F, G and H lived, the work to support them was carried out by specialist services who received referrals from social care. Social care closed the cases once they had completed the initial assessments and when they had been picked up by the specialist agency. Only one



respondent in this area-maintained contact with social care (YP G), because she was already an open case to social care. This was done to provide consistent support to the victim via the specialist agency, but also resulted in the child feeling removed from children's services who were writing reports and representing them in court.

### **Perceptions of Professional Contact as Judgemental**

Young people were equally upset with what they perceived to be judgemental attitudes about them. For some, this was about being spoken to in a tone that portrayed blame or judgements about them as victims. For others it was direct actions and intimidating body language that upset them. Other respondents related to this perceived professional behaviour as a sense of being liked, disliked or disbelieved. For example, YP F is discussing the police below.

*They come in like they own you, treat you like you are the criminal, so it's like, nope, no way, you can get lost.*

(YP F)

One respondent was frustrated and upset about being distracted by an officer's actions, then being told off by another officer who believed she was not listening, when in fact she believed his colleague looked vacant and bored. In addition, she was clearly worried about her parent coming into the room

*One officer was standing up near the door and jingling money or somat in his pocket all the time and when I looked at him, he was staring at me but through me, kind of thing. He looked sort of bored. I was already panicking in case my mum came in and then the other one says, 'You need to pay attention', but I kept looking back at the other one because of the noise he was making. Then the one opposite to me told me off, he got a bit mad and said something like, 'This is important, we don't want to waste our time here.' It all felt a bit weird like not real, really frustrating.*

(YP B)

Another respondent felt intimidated by the way she was spoken to during an unannounced visit. She acknowledges that she was 'underage', and that she wanted to be treated with respect.

*As I was underage, they shouldn't really have talked to me like that. I felt so intimidated... I felt like they treated me like I was the prisoner.*

(YP F)

Some respondents felt they were being judged and blamed by the officers,

*It felt like the police officer was looking down at me all the time and judging me, he was just so obvious!*

(YP E)

*It was the way they spoke to me. It was like they were blaming me, you know. 'Why didn't you do this?' or 'Why did you do that?', like it was my fault.*

(YP H)

The perceived blame might also be related to the embarrassment of answering such difficult questions. Also, the number of questions being asked can often feel for children that they are not being believed. This was noted in research by Ceci and Bruck, (1995) as child victims who can often feel overwhelmed in interviews; 'the more questions I was asked, the more confused I became' (Ceci and Bruck, 1995: 304).

For YP A there were fears of being judged due to her withholding information and then feeling guilty. She later felt shame during an unplanned visit from police that made her fearful of what her mother would say, so she ran out of the house during that visit;

*I had all these lies I'd told and now they pile it all on you straight away, wanting everyone to know. They said, 'We do need to take this seriously and get it reported'... And they came around the day after to my house at night and they told my mum and I ran out. I couldn't face her. She rang me and asked where I was and said come back. They was like, 'You can't keep seeing him, it wouldn't look good for you in court', like I led him on or somat, 'it won't come across right', like they made me feel ashamed.*

(YP A)

Above the respondents discuss perceived judgements of them, principally by the police. It is noteworthy that two of these victims, from different social work cities, were also told by officers to 'take this seriously' which made the respondents even more uncomfortable. Directly above, YP A also discusses being made to feel 'ashamed' which also creates barriers to her engaging with services. Below, this theme continues with respondent's views of professional communication as judgemental.

### **Professional Communication and the Victim Power Imbalance**

Communication during visits was experienced differently for respondents. For some it was the spoken word that was perceived as negative or positive and for others it was the lack of choice or control, they were given about communication that created anxiety and tension. For example, YP A discusses a visit where she was asked in front of a student social worker if she gave permission for him to be there. She was too embarrassed to say she objected and as a result felt unsettled during the visit.

*I felt a bit intimidated by them really, she had a male social worker with her because he was learning and asked if I was ok with him being there, and they went through my early life and I didn't like them bringing all that up.*

(YP A)

It is possible that YP A was also embarrassed because this student was a male, but she did not state that as a reason for her concerns. For respondents with a history of social care involvement there was a common issue of what they felt was 'oversharing' (YP C) and 'using the past to haunt you' (YP A).

Young people were very clear in their feedback that the lack of communication and lack of control they had about events and contact with professionals was stressful. Seven respondents discussed this in their feedback and two directly discussed a sense of having 'no power' in their dealings with professionals (YP A and C). The poor communication noted above and the involvement of lots of new professionals also gave some respondents concern about just how confidential their case was. They discussed fears about how many individuals were told about their abuse and expressed frustration at how many people were talking about them. The young person below believed that her case might as well be made public due to her perceived lack of professional confidentiality.

*I thought 'Just put it on a bus stop, why don't you?' Why did they need to come to my school and house all the time? It got everyone talking about me.*

(YP E)

A major issue for many respondents that appears to be a thread running through the findings is the worry about gossip as a result of contact with the police and social care.

Poor communication was also demonstrated by the way respondents felt that they were talked to by professionals. YP K discussed feeling judged by the officers who visited her because of the way they spoke to her on one visit. She believed that the police officers disliked her and considered her to be promiscuous.

*You could see it in their eyes. They totally judged me as a slapper, like I deserved this.*

(YP K)

Some of these views might possibly be related to respondents having preconceived negative views about the police and social care due to previous involvement with them. Their repeat negative experiences reinforced their negative views of professionals. This is discussed by those respondents below when they consider the changes of staff and how they interacted with them.

*Them ones were exactly the same as the last lot. I weren't believed or really taken seriously. They said I had invited trouble by letting them in.*

(YP K)

*Boys are victims too. Just because you go out and it happens again doesn't mean you are not a victim. Sometimes it's just hard to believe you have been used, but being treated like that doesn't help, like being told by a police inspector that I was a 'waste of time and resources' because I had gone missing again to London with him. They had no concept of the pressure or feelings I had during or after that.*

(YP C)

One young person (YP I) had an entirely different experience of the police and social care. He explained that there was good communication about his case, particularly from the police sergeant on his case, and he was given choice about engaging with the prosecution, although this was later superseded by his therapeutic needs for mental health support. This respondent was the outlier in the respondent group in terms of his very positive experience with professionals overall.

*They said I had the choice about being interviewed because he would be put away anyway. He had already been arrested. I didn't have any choice about when I did things but [the police sergeant] was great at explaining things.*

(YP I)

The responses from these young people strongly suggest that some lack of engagement on their part was due to perceived professional assumptions or judgements about them. One respondent was left feeling that her own actions were part of the problem because she was described as 'easy'. This respondent did not understand the comment and therefore took that to be a negative view of her. She struggled to verbalise what had been said to her;

*I didn't want a social worker in the first place, but they said it wasn't because I was naughty, it was because he was on a sex offender list and he was like, do you know what they call it, they were worried about me being not so easy, but I can't explain what it means. They guilt tripped me into going to court, [it] wasn't fair.*

(YP B)

She felt manipulated and aggrieved that she had been treated unfairly. Another young person felt she had been forced to progress to trial;

*The police didn't ask me if I wanted to. They said, 'It is going ahead and will probably go to court'. I'm like, 'Oh my god, oh my god, no, you can't do that.*

(YP F)

There was a strong sense of loss of control for this respondent. Young people discuss below how these negative interactions made them feel. They describe being made to feel unimportant and feeling forced to engage so that the police could obtain a positive outcome in court.

*It's a one-sided relationship. They were only interested in me for the prosecution.*

(YP K)

*Even if I didn't want to, I have to work with them to get him done.*

(YP A).

Positive communication and engagement from the statutory services was not always present for these respondents, leaving them scarred and angry about the way they were treated by professionals who had a duty to support and safeguard them. The respondents have discussed a level of impatience from professionals and some inappropriate comments that left them feeling to like they were being told off. There is a consensus of opinion about the lack of structured and notified communication from agencies to respondents and their families. This is only somewhat balanced by one very positive experience.

In summary, the dependence on the police professionals to achieve a prosecution appears to be a catalyst in keeping young people involved in investigations, yet there are many examples of respondents feeling judged and unsupported by the agencies involved in their investigation. Respondents described elusive professional behaviours, frequent changes of personnel and a lack of compassion from professionals and some family members. This left them with negative views of statutory agencies which wider literature on this issue suggests could influence any decisions to report abuse again. Above all, this set of findings demonstrates the power of words and actions and the power imbalance experienced by the respondents in their contact with the police and social care. Actions and body language, no matter how subtle, can impact negatively on a child victim who is already dealing with guilt, self or parental blame and embarrassment about their abuse, also noted in earlier research by Kogan et al, (2005).

It is important to note that these pressures were not all related to police and social care involvement. Below I have captured respondents' views about other support, such as specialist voluntary sector agencies and health and youth offending services. Some respondents felt a sense of pressure to engage with these services and diversionary activities which they were not always ready for.

## One Size Fits All Approaches to CSE Victim Support

This section discusses the respondents' views of the specialist CSE support they were offered or received. For some, the support offered did not entirely fit with their needs. Examples are given of very gendered service provision and respondents also discussed feeling pressured to take part in groups, activities and discussions that they were not ready to engage with.

YP G discussed being asked to take part in activities that she was not ready to attend.

*Come to this or that or da de da.' I didn't want to. I was too sad and messed up, I needed some space. You would think they would understand that.*

(YP G)

Another young person described his feelings of awkwardness when he believed everyone knew about his abuse because he was with the specialist project worker.

*I was going to footie then cricket and other stuff with [name], but I was really funny at first, like... you think everyone knows.*

(YP J)

The thought of being associated with the specialist project or a group activity was also difficult for YP J, because the other victims were predominantly female and younger.

*I can go there if I want to but there are too many girls and kids. I was hardly going to go with them, was I?*

(YP J)

The description of the work given by the specialist CSE project put another young person off. She was also telephoned which might not be the best way to first introduce yourself to a victim. This respondent felt the specialist input would remind her of her abuse and she did



not want to engage with the project prior to the trial because that would have caused her further stress.

*They rang me and said, 'We work with people like you and can offer you support?' At first, I thought, 'What does that mean?' Then they said, 'We can meet you to talk about this' and I just didn't want to. I didn't know them, and I didn't want the reminders every time I saw them. It wasn't until after the trial that I started working with them.*

(YP E)

For another respondent, her lack of engagement with a specialist service was due to her perception that she was no longer at risk, and because her family did not want further professional contact.

*I got referred to a project that works with you about this type of thing. I didn't want the support I didn't want to keep talking about what happened an' they kept talking about risk and I wasn't at risk anywhere else, just from them an' my family didn't want professionals involved anyway.*

(YP K)

There are interesting dynamics at play in the quote directly above because it is clear that the family have pre-conceived ideas about the police and other agencies involvement in their lives, but the respondent's reference to perceived risk is interesting as it is a phrase that many projects use to describe their concerns about further abuse. For this child it was one of the reasons she declined to engage with specialist support.

For the young male victim, the all-female group he was referred to was the barrier to his engagement. This illustrates the need for a broad range of support and tailored support to be available to victims. The three female victims who were referred to this project after their

trials had all engaged with the service (YPs A, B and C). They were not clear why they had not been referred earlier for support but understood the keyworkers to believe that this was a police decision to ensure disclosure was not ruined through the project discussing CSE factors with them. It is also interesting that two of the four respondents did not engage because they saw this specialist CSE work as a reminder of their abuse.

Below respondents discuss how their experiences impacted on them and whether they now feel safe. There are some important findings here, because some respondents had fatalistic views about the possibility of further harm.

### **Fatalistic or Realistic? Young People's Views About Safety and Further Harm**

Respondents in this study noted critical views about how safe young people were if they reported CSE, particularly online abuse. Some respondents were resigned to sexual contact and pressure continuing even after their experience of abuse has been reported, because it was, in their view, now a part of everyday life. This is discussed below;

*This stuff happens all the time to teenagers. You are never really safe.*

(YP A)

*They are everywhere. You never know who you are talking to really.*

(YP J)

*It's just how it is, isn't it? I'm always being asked for stuff.*

(YP E)

YP's H and K had more fatalistic views of abuse both on- and offline.

*You can't stop these things from happening, it will happen again.... If it's meant to be it will be, there is nothing the police can do about it.*

(YP H)

*You don't have a choice, they just do what they want. I can't stop them.*

(YP K)

The three respondents quoted directly above related their fear of continued harm directly with the defendants in their case. The wider literature tells us that this kind of fear can cause enduring trauma and other negative consequences for victims and affect their ability to function as adults (Alexander, 2011).

Some respondents described receiving threats during and after the court case that for them were not followed up sufficiently by the professionals involved.

*Quite a few times I felt unsafe, I was getting messages off people on face book and being shouted at on the street and things. The defendant's sister even threatened me on Facebook and I told the CID woman and she said just see what happens. It made me feel really unsafe.*

The combination of realistic and fatalistic views was also responsible for young people fearing continued contact from offenders, particularly those who were still in the community posttrial, and as noted above, some received direct threats from the offender's family.

## **CONCLUSION**

The respondents in this study have recalled both positive and negative practice from statutory agencies such as the police and social care. Unfortunately, most of the positive recollections were from contact with professionals who were external to the police and social care, who have a primary role in dealing with victims in the criminal justice system.

Young people have discussed concerning reactions to professional visits and interaction, but also concerning professional practice that has failed to recognise the vulnerable victims, placed barriers in the way of children and families working with professionals and in one distinct case

(YP C), undermined a child's victimhood and led to further harm. Further, in three other cases, the police risked physically harming young people while removing property which had evidential value to the investigation.

Respondents view the police and social care and other agencies differently. This has resulted in many respondents distrusting the police and social care, whilst praising specialist agencies in the voluntary sector. The police placed high expectations on victims to be available at a moment's notice in the investigation phase and respondents believed they were not listened to and had little control over what happened during the investigation. Where police have spent time with young people and maintained contact, such as in YP I's case, the respondent has felt well supported and describes having a level of control too. It may be that there was sensitive handling of this victim because he had been identified as very vulnerable in terms of his mental health deteriorating. This has not happened for other respondents. Where sensitive handling of victims has not happened consistently, there are very negative views of those professionals and negative impacts for the child such as depression, self-harm, fear and constant anxiety. The negative aspects of professional communication and contact outweigh the positive ones in this set of findings. Many respondents were unclear about what was happening with their investigation and when they requested additional support for threats and bullying it was not given, making respondents feel they were not believed.

The ability for victims to trust was hampered further by frequent changes of personnel and this also led to respondents discussing a perceived lack of confidentiality. Confidentiality was also raised as a concern due to frequent visits in schools and homes, which caused levels of anxiety for victims and families about keeping their abuse and investigation confidential. This was particularly relevant for respondents who received visits in school and then interrogation from peers. I believe this is an important finding because it is normal practice to complete joint visits to schools and homes and is something that can be negotiated or changed.

Clearly some of the sample group experienced what could be termed professional victimisation (YPs C and K), leaving them feeling frustrated and, in some cases, helpless. Nine young people from this sample group disclosed a level of anxiety due to their contact with the police and social care. Every young person named at least one agency where they felt loss of control, negative or unsafe practice.

Young people also discussed issues that affected them negatively that could have been resolved with a bit of forethought. This included respecting important dates when visiting, such as birthdays, making the odd phone call or text at the end of the week to maintain contact and give updates, even if there isn't much to say. These are very simple solutions to what have become, for young people, traumatic and negative memories.

One respondent also discussed the continued emphasis from a specialist voluntary sector agency on risk being 'all wrong' (YP K), and this was the barrier to her engagement. This is also a key finding, that victims need different support at different times and not one-size-fits-all approaches to CSE. The respondent feedback also highlights some issues with decisions being made based on their family's needs, not theirs, and that also generated a level of anxiety for them.

Some of the sample group were not given a choice about their engagement with professionals and many were unaware of specific processes due to poor communication which they felt helpless to change. Young people did speak about specialist services such as rape counselling and CSE services in more positive terms. However, they also highlighted some inflexible processes and risk-driven work that did not fit their unique circumstances.

Professionals face many challenges when they first try to engage victims of CSE and it is very important that they engage with the young person in the context in which she or he is living and try to balance their needs with the needs of the investigation.

This feedback is subjective and each young person's perception and experience is unique, but collectively they highlight strong evidence of poor practice. I am also conscious some of the responses will be linked to respondents own feelings of guilt or confusion and preconceived perceptions of the police and social care, but that does not account for the substantial feedback here, from 5 separate geographical cities, that demonstrates that young people were being unnecessarily retraumatized because of poor professional practice and were left having to deal with untrained, inexperienced or disrespectful professionals.

All of the young people described these interactions as a cause of further trauma and in some instances the reason for further self-harm following contact with the police (YPs A, C, K). Only two recalled any of those professionals being a consistent and positive presence in their lives during the investigation and trial. This reinforces the need for a conceptual shift in the practice of all agencies, but specifically for those who are categorised as control agencies, to improve young people's trust and perceptions of them.

Above the early part of the investigation is considered and this is now extended below to consider the respondents experiences within some of the criminal justice processes they have to engage with such as ABE interviews.



## **CHAPTER 8**

### **Findings 3.**

### **Victim Experiences of Criminal Justice professionals and Processes**



### Introduction to Findings 3

*I was told I had to do the interview because if I didn't it might happen to other girls; I'm not being funny but it's not my job to keep other girls safe and they shouldn't say that.*

(YP K)

My reason for asking respondents for information about their ABE interviews relates to the Victims Code (CPS 2013a and 2015) and previous research, which highlight that young victims are being let down by police and CPS practice that is driven by resources constraints rather than victim needs (HMICFRS, 2017; Powell and Snow, 2007). As noted in the literature review, guidance for victims who are classed as vulnerable or intimidated victims/witnesses<sup>12</sup>, has been updated several times yet there are still failures to follow good practice guidance and legislation.

In this set of findings, I consider whether respondents were afforded all necessary support to take part in their ABE interview and give an overview of their experiences and understanding of these processes. However, these are subjective views and as such, the police and CPS might well have rational explanations for some decisions they made, which have not been conveyed to me by the child victim. Further, wider research tells us that this process is very difficult for victims to engage with (Spencer and Lamb, 2012;), so respondents may have an unbalanced view of the processes.

The Achieving Best Evidence (ABE) interview process is one of the early measures used to capture the child's account of their abuse and can thereafter become their 'evidence in chief'

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<sup>12</sup> The Criminal Justice Act of 1991 determined that a child's evidence-in-chief could be presented at trial by means of a videotaped interview held by a police officer and a social worker. The Memorandum of Good Practice on Video Recorded Interviews with Child Witnesses for Criminal Proceedings (1992) contained the initial guidance, which was subsequently updated by Achieving Best Evidence in 2002. Achieving Best Evidence in Criminal Proceedings, Ministry of Justice, 2011. Further guidance was published in 2013 that updated the victims code (cps 2013a) also available from the Government website.

(CPS, 2011). The respondents were not clear at all about the importance of the ABE interview and gave some interesting examples of perceived positive and negative practice. However, each respondent acknowledged that this was a difficult process anyway due to the nature of what they were discussing.

The ABE interviews are a very important tool, not only to progress the case to trial but also to reinforce and test the accuracy of witness testament. It is important therefore that victims are well prepared for the interview because any differences between the information given in this interview and further interviews can be used against a child at trial, to undermine their account of events (See CPS, 2011)

There is clear evidence from my data that several respondents had more than one ABE interview, because they did not engage well in the first interview and others because of a lack of professional preparation and planning. There is also evidence of barriers to engagement in the ABE interview explored below. This section begins by discussing respondent identified barriers to engaging with the ABE interview.

### **Gender as a reason for children not engaging with ABE interviews**

*On the first interview it was two police officers and it was really horrible, it made me squirm and they asked things like 'what is a penis?' and things. I was really young and felt awkward and so I wrote things down and drew pictures. I didn't feel comfortable speaking to the men. My second interview was a bit better because it was a police woman and I didn't feel as embarrassed.*

(YP G)

For this respondent, the issues related to the gender of the officers interviewing her and she felt uncomfortable as a female child speaking to two men. This speaks to the theories of male power and patriarchy and power imbalances for females, discussed in the early history of CSE

(see Coy, 2009; McElvaney 2008; Melrose and Barrett, 2004), This child went on to have a second interview with a female officer and she found that less embarrassing, if not still uncomfortable. Five young people linked their discomfort in the ABE interview directly to the gender difference between them and officers (YP A, D, H, G and K).

For another respondent it was the combination of the gender of the officers and her age that impacted on her ability to take part in the interview.

*I was not really prepared but I knew that they were going to ask me questions about what happened but was not sure what they would ask. I was not prepared for how personal the questions were and it was worse because I was interviewed by two men. I was only young, and they asked me really personal questions it made me feel sick and nervous to my stomach. I think for me that jeopardised my answer because I was not able to answer as I should because I felt really uncomfortable and embarrassed, I never said anything to them.*

(YP H)

This young person notes a combination of factors that attributed her inability to speak in interview. She later discussed the 'soft' sentence given to the offender (a community sentence), believing this was due to the limited information she gave in the interview.

Respondent A also disclosed that she underwent two interviews, one when she did not identify as a victim and another when she did. She makes a strong reference to the difficulty of talking to a male in both interviews.

*The first time we all knew why I was there. I was like, 'Whatever, it's embarrassing, just ask me about him so I can get home please'. But in my head, I thought 'Noooo!'; but I knew I had to say sommat and they was like, 'Tell me what happened', and I was thinking it was not one thing and didn't know where to start. It were really hard specially talking to a man.*

(YP A)

Clearly in this interview the respondent is in shock. She is also struggling with the gender difference between interviewers and victim and was still willing to protect her offender. This gender difference is more notable in her quote about her second interview, where she wanted to complete the interview, but still acknowledges a lack of choice about when the interview was completed and distress about discussing the sexual element of the abuse with a male.

*I didn't have a choice about doing one. I felt like I had to explain everything and go through the trauma again. I'm not lying, I felt a bit stupid because the police officer said I had to explain how you kiss something and do sexual things and I thought, 'I don't want to explain'. I was embarrassed. It would have been easier if it was a woman because it was distressing to speak to a man.*

(YP A)

As respondent A was the youngest respondent, I would suggest some of this embarrassment was also related to her age and emotional intelligence, but she did not openly say this. She also asked why she could not see the ABE questions beforehand. This could have been answered easily by officers explaining that they are not allowed to coach or rehearse children for interviews (HO 2002: 215: K1).

The next respondent was taken to a sexual assault referral centre (SARC)<sup>13</sup> for her interview. She was interviewed by a male while a female was in the room. Despite this, the respondent highlighted both the gender and ethnicity of one of her interviewers as problematic.

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<sup>13</sup> A SARC is a special facility where recent victims of rape or sexual assault can receive immediate help and support. This includes access to a forensic medical examination by an experienced and qualified doctor and victims can complete their ABE interviews with the police in the centre directly after the medical if they wish to.

*It was so hard. I was really embarrassed and didn't like talking about sex. They made me describe a penis and stuff like that, like what names he called it and what I called it. It was really hard to speak to adults about. I could not have been much more red faced. They wanted me to show them what I meant by sex and stuff and what pictures he sent. It took about three hours. I had a break and the woman kept offering me a drink and asking if I was ok. You really have to tell them every little bit of what happened, so it takes ages and he kept asking questions that they had already asked. I was only 15 then. He kept repeating the questions but just changing bits; it was just wrong talking to a man about those things. And he was Asian like my ex, after about half an hour I asked for a break and told that social worker I didn't want to carry on, [she] said 'I had to.*

(YP D)

This respondent experienced a long interview that she found difficult and made it known that she wanted to stop but was told to continue. Also, it was a long interview '*it were three hours*' and because she had mentioned the gender and ethnicity of the officer interviewing her, I asked her 'What bothered you about the officer's ethnicity'? She replied:

*You know, it's like hard to talk when it is a man anyway and like one of them. My mum said they are all up to no good, so it was really embarrassing and creepy being asked loads of personal questions by him.*

(YP D)

Whilst these were very real fears for this respondent it is also evident that she and her mother have stereotyped this officer and his ethnic group. Clearly this would be a very difficult barrier to overcome for the officer involved but should be considered in the preparation to the interview because then professionals can plan better to obtain the best evidence of the child.

Above I have considered the impact on respondents when there is discomfort at being interviewed by an officer of the opposite sex. The respondent below was interviewed by a female. She discussed feeling more comfortable because it was an officer she did not know.

*It was ok, the room was ok. I had to go to the police station and didn't like that because I just thought that is where bad people go really. I had someone from the sexual exploitation unit and I was interviewed by a female officer. I didn't mind not knowing them because I would have been really embarrassed if I had gone in with someone I had known because they asked really personal questions. But they kept saying 'Just relax'. How do they expect you to relax when you have never met them before?*

(YP B)

An interesting contradiction appears here too because the young person is pleased that she is with someone she does not know, but also highlights her inability to relax because she is with someone she does not know. Her quote discusses being interviewed by an officer from the exploitation team which suggests it was an officer experienced in CSE, with some awareness of how to manage these dynamics. She also highlights fears about having to go to the police station where 'bad people go', calling into question the need for a child friendly location of the interview,

The next respondent was concerned more about his perception of what the officers thought about his sexuality.

*It was in this room with one officer in with me and one outside writing down everything I said, with cameras recording me. And I was like really self-conscious and nervous about it. He was not right with me and he went out twice, probably because he didn't believe me or could not relate to me being gay. I don't know. I*

*had lots of interviews because of stuff that was going on, but it was usually uncomfortable.*

(YP C)

It is interesting that YP C has immediately linked his sexuality and being disbelieved to the officer's need to leave the room. It is considered poor practice to have one officer in an ABE interview (HMIC, 2015; CJI, 2014). This officer was possibly inexperienced so might have needed to check with a senior outside the room. However, it created a feeling of distrust and discomfort for YP C. It is evident that those early encounters with a senior officer had influenced his views in all later contacts with the police.

The quotes above suggest the need for professionals to prepare victims for the ABE interview, explaining who will be present, their gender and ethnicity. Below the respondents continue to discuss their ABE interview experiences in the context of perceived lack of privacy and irritation related to repetitive questioning, which the wider literature shows can lead to children saying what an officer wants to hear, rather than speaking their truth (London et al 2005).

### **Privacy and Respect in the ABE interview**

The respondent below described herself as very distracted because her mother was directly outside the interview room, so was concerned that her mother could hear what she was saying. She believes this led to her contradicting herself in court.

*I knew my mum was out there and could be listening, so I wanted to get on with it and he said if I wanted to retract my statement I could, and it would be fine. That just made me feel like he didn't believe me. I think if I had felt more able to speak to them in the interview instead of feeling dead embarrassed, he would never of got off like that.*

(YP H)

This demonstrates the sensitive balance required to understand a child's responses and actions in interview. If YP H had been told her mother could not hear her talking, she might have been a little more relaxed and focused on the interview. The next respondent also discusses a perceived lack of respect from the voluntary agency worker and her confusion at receiving conflicting information from the police and her Barnardo's keyworker.

*It was hard, the interview, because they were saying, 'You need to do this to get a positive verdict in court' and my Barnardo's worker was saying, 'Well you might not get one even if you do it'. And there was no respect at all, they were like... well they shouldn't have been so nasty. They didn't help me to want to go to court.*

(YP F)

This must have been very upsetting and confusing for the young victim and shows a lack of coordinated support to the respondent, another issue picked up by recent inspections (HMIC, 2015; CJI, 2014). These are clearly practice issues related to the lack of structured support and communication between agencies.

### **Positive Experiences of ABE Interviews**

The quotes above set a scene of negative experiences of professional practice during ABE interviews. There were some positive experiences too, described below by one respondent's mother, who gave a positive reflection of his support during interview;

*[Named officers] took us to the place and they were really supportive. They explained that he could stop at any time and said if he felt he could not carry on they could try another time. He was really shaken up and did struggle, but he did it and that tape is what was used in the end because he could not go to court.*

(YP I's Mother)



Another young person found the ABE to be a difficult experience but appeared to be well supported. He disliked talking about the sexual abuse and highlighted how long these interviews can be and how they impact on victims;

*I had my interview two days after I had told the police. I did a video interview. There was one officer in the room asking me questions about what happened and one in another room listening. Sometimes he went out to speak to him too. It was not too bad. It was embarrassing talking about sex and other stuff, well what he tried to do, with a stranger like and then having to say again and again what happened. I had a break because I could not think straight.*

(YP J)

ABE interviews have a four-stage process<sup>14</sup> and each part of the process is equally important. The stages are discussed (see page 90 and chapter 8, p 173) under the criminal justice process and victim's experiences of court. I specifically asked respondents what was discussed pre and post interview to understand if the process had been followed, beginning with rapport.

The rapport building is a crucial part of the ABE interview and should be used to get to know the witness and to try and relax them. Whilst professionals have no need to disclose the stages of ABE interviews, five of the 11 respondents in this study were acutely aware of the initial attempts to relax them before they discussed the facts of their abuse. This is positive because it illustrates that there were clear attempts at rapport building.

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<sup>14</sup> Stages of ABE Interviews (CJA 1991, CPS 2001): taken from CPS guide 2001 1. Rapport Building – to build up trust and get used to answering questions. 2. Free Narrative, where the child is encouraged to give their uninterrupted view of what happened. 3. Questioning and 4. Close – a return to neutral discussions to allow the child time to relax and re focus before leaving the interview.

## RAPPORT BUILDING IN ABE INTERVIEWS

In discussing the pre-interview experience, two respondents show that they were asked neutral questions, one notes a positive discussion, and another was reminded of further anxieties such as pending exams.

*She started talking about school before the interview, kind of asking me how it was going, but I said school was stressful because we were doing exams, so she stopped and just got on with the interview.*

(YP B)

*I can remember him asking me things like how it was going at home and what kind of things I do to relax. Yeah, we talked about football and COD<sup>15</sup> and I appreciated him not going right into it.*

(YP J)

However, for another respondent those pre-interview questions were a source of annoyance.

*Well at the beginning they were talking about something they watched on telly and asked what I watched. Well I knew why I was there so thought no point in doing that chit chat stuff. I was too stressy for that... I just wanted to get on with it.*

(YP A)

YP D believed she was probably asked some questions before her interview began but could not remember what they were.

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<sup>15</sup> Call of Duty: an online game about gangs and warfare, that can be played with several players on social media platforms

*I think so, but I really don't know what he said. I didn't want to talk to him at all because I felt so weird with him, so I weren't really paying attention and was a bit panicked about it all.*

(YP D)

For respondent F, the sound of the radio on the officer's shoulder had the effect of distracting her from what was being said so she recalled very little of what discussion they had.

*They need to turn those radios off. All I could think of was what are they saying because I could hear it. Even on low it was making a noise all the way through my interview. I was distracted by it, they should get it together and not do that.*

(YP F)

This means over half of these respondents (n=6) did not recall the discussion at the beginning of the interview and of those that did, there were mixed responses to it. Only one respondent felt that it was unnecessary (YP A), and the others discussed being grateful for that stage of the interview, though only two knew this was a part of the process. (YP's A and J). The respondent who discussed an officer taking his radio into interview, identified a simple learning point for officers that might improve victim engagement in future. One respondent also noted the lack of communication between two agencies and therefore thought she had been given conflicting information, but of course either piece of advice could be relevant. None of the respondents discussed any briefing before the interview to prepare them and there is no sense of preparation where officers learn about the child to make this process more effective.

## **CLOSING ABE INTERVIEWS**

The closing of an ABE interview is designed to bring the victim back to neutral discussions and to relax them before they leave the premises where the interview took place. This is also an

opportunity for professionals to check whether the victim needs any additional support after the interview. It is clear from some respondents that this part of the ABE process was not always followed. I refer to three victims who had different experiences of the ABE interview (victim A, B and C) to illustrate the varying levels of support given post interview. These respondents were from the same area, so the likelihood is they were working with the same agencies. I begin this section with a quote from YP A, who is discussing her second interview where she disclosed the abuse.

*After the interview (no 2) they asked if I was ok, but I got a bit emotional because they were saying, 'why didn't you tell anyone?', and I felt like I was in the wrong then and I said, 'I am really sorry, and I didn't have the strength to tell'. They took me home and my mum was at work. So, after I left, they just took me home to think about it all. I hated it.*

(YP A)

It is important to remember that this was a 13-year-old girl, who was struggling with the knowledge she was pregnant with her offender's child and was in love with him but had been disclosing his abuse in interview. This must have been incredibly difficult for her and her account suggests that she was not supported directly after the interview. This respondent is describing very concerning practice and given that she also self-harmed, it is very concerning that she was left alone after a very traumatic interview with no support in the home should she need it. These highlight some different practices in this one area, because two other respondents (B and C) from the same city gave entirely different accounts of their experiences post interview. For example, YP B notes that.

*When we finished, she just chatted normally, I can't even remember what about, but it was not about me. I got support from the STAR project, which is a rape*

*project. I got it after the interview and all that. My mum was outside the interview, so we went home together but I went to my room to be alone.*

(YP B)

Respondent C discusses a different type of interview and closure but notes that he did have that all-important support post interview.

*I had a few interviews and the first couple finished with them talking about school things or keeping safe. I think after a while they got fed up with me because the interviews would happen quickly, within a week, but were over quick too and it was just me saying what happened really. Afterwards my mum would always be with me and sometimes it was [a specialist agency worker] or the officer they attached to me and he would chat about how things would go, so I was never left alone. But you don't just come out of there and not talk about it, if you know what I mean. It's not like that, everyone wants to know how it went and what was said, so you have to constantly go over it.*

(YP C)

There are interesting undertones in YP C's discussion that are not present in the others. He links the way he was interviewed to the number of investigations he was involved with. He explicitly states he feels the interviews went quickly because he had been involved in several investigations and he sensed he was not being taken seriously. Whilst he discusses very good levels of support, this is being provided through his parents and voluntary sector workers and a police volunteer officer, rather than the statutory service that undertook the interview itself.

This may be the result of good partnership arrangements, but it is interesting to note that he felt judged by the police, even though he engaged with them.

He also describes a difficult situation because he was required to repeat the interview to others who were interested to know how it went, possibly for voyeuristic reasons rather than to give support. Of course, that also means he also had to relive the abuse. This is a common experience for many victims of abuse.

### **Length of Time and Places Interviews Were Held**

A common theme arising from the questions about the ABE interview was the amount of waiting around respondents had before and after the ABE interview. Many of these respondents described waiting for checks to be completed by officers before they got to go home after the interviews. I have grouped this section by the geographical area the child lived in, as Cities 1 – 5, to establish whether there were clear patterns or timings for interviews amongst victims from the same area. The subcategories are set within

#### **City 1: YP's A to C**

Respondent A completed two interviews. Talking about her first interview she notes that:

*Me social worker took me to look around. We went down and had the interview and she sat in one room and I sat with a policeman in another room and he was talking to me about it and I did get really upset and got a bit of support afterwards and I was like this is too hard. I only stayed for about 20 minutes.*

(YP A)

The first interview is the one she was unwilling to engage with. The second interview was arranged quickly because she had decided to make a disclosure. The speed at which this was arranged does suggest that the officers were unprepared, particularly as they kept having to stop the interview and speak away from the child. The wider literature suggests these issues are usually seen with inexperienced officers leading interviews and lack of preparation (HMIC, 2015; CJI, 2014).

*They said it was urgent. I didn't have a choice about doing one. The interview lasted 1hr.45 but at least I did it. He kept having to go out and check things. Then the other one called the one inside out and he said, 'Sorry, wait a minute, we won't be long', then they were gone for ages.*

(YP A)

For YP B, there was less sense of urgency and a more controlled approach to the interview process. As she recounted this, she appeared to cope better with this process despite feeling like she didn't agree to take part in it.

*From the police coming to see me I did my video interview in a few days. I didn't really agree to it but did it anyway. The interview took about two and a half hours, my mum and a social worker were with me, but they sat outside.*

(YP B)

YP B, had one of the shortest interviews and was not recalled for a second interview. She also had some control and choice about completing the interview or stopping and picking it up again later. This worked for her and therefore could be considered a more child-centred approach.

Respondent C had many interviews and he discussed them as a collective group rather than separating them. He discusses how long his interviews took, believing some were too short because he was not believed.

*All of my interviews were videoed but because things kept happening within those two years, but they were always pretty soon after it had been reported, like within a week I was getting an interview. The first one was for about two hours and then it varied from 20 minutes up to an hour after that. I was offered breaks, but I didn't usually want one.*

None of the respondents from this local authority area gave an indication of where their interview took place. However, the information provided suggests that the interviews took place in the police station. There does not appear to be much preparation for interview and the length of interviews appears to be consistent for two respondents. However, some of YPC's were exceptionally short, lasting only 20 minutes. This suggests that some interviews were simply '*performed*' to meet a parental request rather than prepared and set out to fully obtain the respondent's evidence (Ashley, 2017). YP C indicated that he did engage with his interviews. This clearly suggests a lack of preparation and closure and begs the question, what meaningful information can be captured in such a short timeframe (20 mins), when you also have to build rapport and close with a return to neutral questions. It suggests poor practice as discussed in broader findings of the criminal justice professionals and systems work with CSE victims (HMIC, 2015; CJI, 2014)

In this group of respondents from area 1, YP B appears to have had the most straightforward interview. She and YP C were of the same view, that it is best to just complete the interview and not interrupt it with any breaks. The efficacy of this might depend on how traumatised the victim was, but it appears these respondents were all very traumatised. The only 20minute ABE interview that makes sense is that of YP A, who did not want to engage as a victim and therefore did not want to discuss her abuse, so the interview was stopped. This was not the case for YP C and he appears to be discussing very short interviews where he is disclosing abuse. This is an important finding and links to some of my recommendations related to set timeframes for gathering information about a victim, to build rapport and to offer support during and at the end of the interview. I also recommend a means of police forces gathering feedback from young people directly after ABE interviews, which might support more consistent practice (see conclusion and recommendations P274).



## City 2: YP's D and E

These respondents have more consistent experiences of the interviews but were expected to stay in interview for a very long time. There is very little or no reflection on preparation for interview and no understanding of what support was offered directly after interview.

*We went to the police bungalow, it was right behind the big police station. It took nearly three hours. I had a break and the woman offered me a drink. You really have to tell them every little bit of what happened, so it takes ages and they kept asking questions that they had already asked, that was annoying.*

(YP D)

YP E's interview was 3 hours long. She mentions what appears to be a SARC for her interview. This could have taken place in the bungalow mentioned by YP D above.

*I got took to an assault place and the whole interview was about three hours. I didn't need a medical or nothing because it happened on skype and stuff so online. They kept asking questions that they had already asked all the way through the interview. They asked a lot of questions the same but worded different. I had one stop for a bit when I got frustrated and I wanted to go for a cig, so they let me, but that was all.*

(YP E)

This demonstrates the subjective understandings of the processes and places young people must engage with in heightened emotional states. Because they were not clear that they had been taken to a specialist provision, they spoke about a bungalow, which (anecdotally to me), would suggest a police child abuse unit. Yet, they were not fully aware of this or the related support SARC's can offer. There are some cross-cutting themes from cities 2 and 3, such as

being taken to a SARC for interview and receiving no support in preparation for interview. I now discuss Area 3 further below.

### **City 3: Respondents F-H**

I begin with YP F, who has a slightly different experience of the ABE interview because her mother took her to the police station;

*It was about five days before I went to see the police. It was just the police no social care involved. It happened when I was 13. We went to the police station, she (mother) didn't give me a choice and we had to wait in the police station for a good two to three hours to give an interview. They then saw me for about two hours and said, 'Can you come back tomorrow to give a video interview?'. My mam was like, 'Yes'. I didn't even get a choice. Well just like any parent would really. The interview the next day was long too.*

(YP F)

This respondent appears to have waited a significant amount of time in the police station. Whilst it is not realistic to suggest the police should be available immediately, I do believe this example demonstrates poor practice, because the officers kept a child and her parent waiting so long while in an anxious state. They could have allowed them to go home and receive a follow up call in person, or by telephone, particularly as the police recalled her the following day to complete the ABE interview. This suggests there was very little preparation, a lack of communication with other agencies such as social care, health and education and no risk assessment or consideration of her needs as per ABE guidance.

This would suggest that child protection procedures were not followed because agencies should not make unilateral decisions about child protection concerns. In any child protection disclosure, the child's welfare and health needs must form part of any assessment and strategy

discussion (Working Together 2015). This was not the case for the next two respondents in this area.

The longest timeframe for interview was given by the next respondent, YP G, who spent a total of seven hours with the police in one evening. It appears that approximately 4.5 hours of that time was in both informal and formal interviews.

*It went on for quite a while, they came to mine about 6pm and we were waiting around a bit. I had to speak to them at the house once they had collected things for evidence and that took about an hour and a half. Then we went to the SARC about 9pm and left about 1 in the morning. It was really boring with lots of waiting around. At the time I just hated it really, I kept thinking it was my fault and hated that I was putting my family through this.*

(YP G)

What is more concerning is that this was only her first interview and a second one was planned at a later date with a female officer, because she struggled with the male officers in interview (see above in the section on gender-difference)? The fact that YP G was interviewed for approximately 4.5 hours when struggling to talk to the male officers is very concerning. This respondent did not give any timeframe for her second interview. However, seven hours is an excessive amount of time for any vulnerable witness to endure, and whilst there is no specific timeframe in the relevant guidance to contain ABE interviews (HO, 2011), the guidance does suggest moving at the child's pace and that there must be sensitivity to the needs of vulnerable and intimidated victims. The fact that this victim was taken from her home for the interview suggests it happened without a great deal of preparation, similar to (YP F) above.

For YP H, the time spent in interviews was similarly long with a total of 4.5 hours over two interviews and two days.

*I was interviewed within four days, so I told on the Monday and had the interviews on Thursday and Friday. I didn't have an intermediary. I was not offered specialist support at the interview, the first one was about two and a half hour and the second one was just under two hours.*

(YP H)

This young person did not give any understanding of why her interviews were staggered but is one of the 11 respondents who prepared answers to the full set of questions I provided related to ABE interviews. The timeframe for her between disclosing to officers then being interviewed would have given time for preparatory checks, but there is no sense from her quote that there was any checks with other agencies or wider support offered.

For area 3, there are differences in the way respondents have been identified and processed for the ABE interview. YP G appears to be the only respondent from area 3 that was interviewed immediately after making her disclosure, directly after the first informal police visit. The other respondents had periods of three days and one week before they were interviewed. These young victims have had some very long interviews and all three stated that these were single agency interviews (police only).

The data analysed from the first 3 respondent cities have some similarities in that there were long waiting times to be interviewed and a lack of respondent preparation. Below, YP I, and J from area 4, discuss more positive experiences.

#### **City 4: YP's I and J**

Respondent J discussed what appears to be a quite well organised interview lasting about 3 hours including a break. He had appropriate support waiting for him when he arrived at the interview base.

*It took about three hours to finish, well two and a bit with a break. It was two or three days after I told [my sister]. They took me from school to do it, my sister and mum met us there and they asked me what I expected them to, it was just that.*

(YP J)

The next respondent (YP I), wanted his mother's support in his research interview with me, which is why they are both quoted, but he agreed with his mother's comments. YP I does appear to be the only respondent to discuss his interview without reference to long interviews or waiting times. Also noteworthy is the fact that he and his mother felt well prepared and supported before and after the interview as she discusses below.

*Well they found everything really and just told him what they found. He was taken there by [names] from the exploitation team. They were great and pulled no punches, them two just said how it is and what would happen. I think we both appreciated that. I'm not saying it was not difficult for him, it was, but he was also told he didn't have to do it because they had enough evidence on his computer.*

(YP I's Mother).

This feedback speaks of more child-centred approaches to the ABE interviews, because both respondents were prepared, had support and one was reminded that he did not have to take part in the ABE interview if he didn't want to. There was a good level of communication and honesty from the officers and social worker about the ABE processes, as well as safeguards in place after the interview. This is quite different from the experiences of the other respondents in cities 1, 2, 3 and 5.

Unfortunately, YP I's case is a refreshing change from the other respondent narratives where there has been a tendency to overlook the needs of the child in favour of the needs of the

investigation. It is possible that this was because there were both social care and health colleagues making decisions on how his case would be handled because there were serious self-harm issues and mental health difficulties related to his abuse. These were obviously considered in all decisions regarding this child's involvement with police investigation processes.

Below, I consider the last respondent, YP K's, experience of the ABE interview process. YP K was reluctant to engage with the police from the outset and had preconceived views about them and their role in society. In reviewing her data, I was keen to understand whether that impacted on her ability to listen and engage but also whether there were any signs of negative police and social care attitudes towards her because of her views.

#### **City 5 YP K**

Respondent K was a witness who was reluctant to engage with the police investigation due to her views of the police and a fear of the defendants. She did not give much detail about how long her interview took but described it as 'long' and also made reference to repetition, as discussed by respondents in the other cities. YP K also discusses having been offered 'a few breaks', suggesting that the interview was quite lengthy and/or difficult.

*I was interviewed a few days after the police came to the house. The interview was long and a bit repetitive, but I was asked if I wanted a break a few times. It was ok. I just wanted to get it over with.*

(YP K)

YP K did not give any insight into whether she felt prepared for the interview or not. However, there was some time between her disclosure and being interviewed which would give time for preparation and for the agencies to communicate about her needs. Whilst she was a reluctant and fearful victim, she did complete the interview and again that could be evidence of some sensitive handling of the victim, but I cannot say with certainty that there was.

The preceding chapter discusses the amount of time respondents spent in police ABE interviews and seeks to understand if there was any clear preparation and adherence to good practice regarding interviews with and support to 'vulnerable and intimidated witnesses'. The feedback is not always clear, but there are some very significant findings and perceptions from victims that suggest good practice is not always followed, and varies between social care geographical cities. . In context of preparation for interviews, area 4 appear to be the only area that were sensitive to the victim's needs. In area 2, there was twenty-minute interviews of a child, who was disclosing multiple abuses, over a 2-year period. YP C's feedback does seem to suggest a lack of effort or care to achieve his best evidence. In area 3, there was a distinct difference to interviews as they were clearly single agency and two were very much reactive interviews that demonstrated a lack of preparation and resulted in some of the longest waiting times amongst all respondents. Apart from YP I's case, none of the respondents have discussed any appropriate victim risk assessment to inform the support required in the ABE interview, or directly after it. Further, it is also evident that most of these ABE interviews were completed by police only, a further departure from good practice guidance (ABE, 2011).

There are some important findings here because they show that there is diverse practice across the 5 cities and 11 respondents. Some of which clearly result from the discretionary use of good practice guidance by the officers and forces involved. Below, practice is discussed in relation to the truth test, which is a check to understand whether the child understands the difference between the truth and a lie (HO 2011: S3.19). This is significant as it must be proven to enable a prosecution (Lamb et al, 2008; Hershkowitz et al, 2007).

### **The Victims Understanding of the Need for and Use of a Truth Test**

In ABE interviews, the 'Truth test' comes towards the end of the rapport-building stage and directly after ground rules for the interview have been discussed (HO 2011, S3.18). The purpose of a truth test is to ensure the child understands deception and to consider the child

or young person's reliability and competence. The Truth Test is a set of questions or scenarios that ascertain whether the victim understands 'right' from 'wrong', 'truth' from 'dishonesty' and lies (HO 2011). The outcome of that test will determine whether the CPS progress a prosecution, so it is a significant part of the ABE interview.

I asked my sample group a specific question about this section of the interview because I wanted to check whether the scenario or questions given were altered for older children, given that the Truth Test was designed for interviewing younger children (Spencer and Lamb, 2012). The wider literature tells us that these questions are rarely adapted because they are set within ABE guidance (Section 50, of the Youth Justice and Criminal Evidence Act 1999)<sup>16</sup>. Section 50<sup>17</sup> reformed the law on competence, to ensure that witnesses had capacity to understand and respond to questioning. I asked my respondent group, 'Did you do a Truth Test in the police interview, and if you did, which question was used?' The responses are interesting. Some respondents were bewildered about why they were being given the Truth Test and others did not recognise they were being tested.

*I was asked if I knew the difference between a truth and a lie. Pretty stupid thing to ask really, everyone knows that.*

(YP A)

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<sup>16</sup> D.P.P. v M ([1997]2 All E.R. 749) A five-year-old girl was ruled to be incompetent by age alone. The Court of Appeal said this was not a valid ruling in law but noted age could be relevant: The extreme youth raised concern as to whether she was competent to give evidence. What it did not do was to demonstrate, of itself, that she was not. the first half of R v D which decided that the test of competence was whether the child could understand questions and give intelligible replies.

<sup>17</sup> The relevant parts of section 50 are: 1. At every stage in criminal proceedings all persons are (whatever their age) competent to give evidence. 2. A person is not competent to give evidence in criminal proceedings if it appears to the court that he is not able to – (a) understand questions put to him as a witness; and (b) give answers to them which can be understood. Clearly this legislation is written with younger children in mind.



What this young person does not appear to know is that the officers had modified the question for her, obviously making a judgement about her age and maturity. Despite this YP A still perceived the question as 'stupid'.

Another young person remembered being asked a question she thought was 'strange', because she had already disclosed having to be dishonest with family and friends.

*Yes, they asked me that truth or lie question, strange really because I had said I was lying to my family and friends, so of course I knew. But they said they had to ask to prove I knew the difference.*

(YP B)

Interestingly this young person and two others (discussed below) felt they were not believed in interview. I have wondered if them being asked if they knew the difference between the truth and a lie had anything to do with them feeling disbelieved. The ABE guidance is clear that teenagers should be asked questions in line with their age and maturity and there should be a reaffirmed understanding of deception<sup>18</sup> which none of the young people in this respondent group have mentioned.

Another respondent was asked about truth and lies differently. He was given a scenario developed within the ABE guidance and the choice of two responses: Is that a truth or a lie?

*It was like if someone had been smoking in your bedroom and then the parents asked if they had been smoking and had thrown it out of the window and they said no, was that the truth or was that a lie. That's it.*

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<sup>18</sup> The interviewer should use examples suitable to the child's age, experience and understanding. Secondary school-age children can be asked to give examples of truthful statements and lies, while younger children can be offered examples and be asked to say which are true and which are lies. It is important that the examples chosen really are lies, not merely incorrect statements: lies must include the intent to deceive another person. Achieving Best Evidence Guidance (s3:19 2011).

(YP C)

This young person recognised that this was a test for younger children and questioned its relevance to him.

*I felt like it was a bit childlike you know, as if they would be asking a younger child that question? Like I was 13, but I knew what was a truth and what was a lie then. It was only until I did another interview about six months ago that they said I didn't have to do the truth question, because I was old enough to know.*

(YP C)

Despite the first scenario making him feel like it was childish, it was clearly structured around the understanding of deception, which is a requirement for court. If the understanding of deception is not believed to be understood, then the courts would consider inviting in an intermediary to ask a child at trial as an evidential requirement (YJCEA, 1999: S50). Whilst YP C's second experience of an ABE interview truth test question was better, it was not necessarily a sound means of gathering this evidential proof of understanding for court. This fits with earlier issues discussed above about lack of preparation and consideration during his interviews, some only lasting 20 minutes.

Respondents recalled their truth or lie questions in ABE interviews. YP D had a similar experience to YP A, recalling being told;

*You are old enough to know the difference between a truth and a lie, so we will not ask you about that.*

(YP D)

Again, this shows that the Truth Test was not deemed appropriate for teenagers because it was not used. However, this young person has not demonstrated an understanding of deceit

in her interview, which is necessary to satisfy the courts of the evidential value of the victim's video statement (see above *ibid*; s50).

For another respondent this was not the case. She was given one of the scenarios and asked if it was a truth or a lie. However, this respondent did not know it was called a Truth Test.

*I was asked about smoking in a house. I knew why they asked but didn't think they needed to give me an example. I know what a lie is.*

(YP E)

Some respondents were tested, but one being asked to give her own examples, again, showing that the questions were somewhat altered to suit teenage victims.

*They asked me to give an example of where someone tells the truth. And they said give an example of someone giving a lie, then asked me what I thought of that, I didn't really know what to say.*

(YP F)

This highlights some good practice in the interview and shows an understanding of officer discretion working well. Another respondent recalled a scenario-based question;

*They did a Truth Test, it was the smoking one and they asked me if I knew what a truth or lie was. There was no third option like white lie, I felt about five years old. It was stupid and of course I knew, I said well it's a lie, ha ha.*

(YP G)

The respondent below saw the process as artificial and unnecessary, despite having been given a good explanation of its purpose.

*Is that where they check whether you know the difference? Yeah, I had a Truth Test. He explained why they had to do that and that they had to do it to make sure that I knew the difference between the truth and a lie. It didn't bother me, I just did it and got it out of the way and got on with it. It was the ball through the window scenario.*

(YP H)

There is evidence with this group that the test was consistently used and therefore good practice followed, including demonstration of understanding of deceit. There was only a slight deviation from the ABE guidance in this area, that appears to have been in the best interests of the respondent.

Another was given a scenario-based truth or lie questions.

*I got asked about a boy burning a hole in the bedroom curtain with a cigarette then saying it was his friend not him. I said it was a lie. That was all they asked about it.*

(YP I)

and respondent J, also notes being asked a scenario-based question.

*I did a Truth Test. They asked me about breaking a window with a ball. I thought it was a bit silly cause course I know the difference between a truth and lie! The policeman did explain why he had to ask though.*

(YP J)

This respondent had questioned the use of the scenario and was given an explanation. He was one of only two respondents who knew the terminology 'truth test', and whilst he

perceived it to be a silly question, he did answer it and understood its importance. And finally, the respondent below, remembers a simplistic scenario which she had no issues answering.

*They asked me a question about breaking a window and telling my mum. I understood why; it was ok.*

(YP K)

There are some consistent views here about these scenarios being perceived as childish and superficial or unnecessary, but also some acknowledgements from respondents that the Truth Test was just a necessary part of the interview process. The extent to which these kinds of questions affected young people's engagement with the interview is difficult to gauge, but it is clear from the responses that there is a level of annoyance at being asked what are perceived to be childish questions. Only three interviewers adapted the truth test for a teenage victim, the others were asked the same question a much younger child would be asked.

Further, YPs' A and C, were not asked to give an example of a truth or lie in their second interview due to an acknowledgement of their age and understanding, which clearly had not changed dramatically in the timeframes between the interviews. For one respondent the interviews were only a few weeks apart (YP A), and for the other six months apart (YP C).

This demonstrates that there can be a level of discretion applied to the use of the Truth Test.

Below, the respondent's understanding and perceptions of their engagement with the criminal justice process was tested further when considering whether they had Child Protection medicals or not.

## Child Protection (CP) Medicals

CP medicals originate from the Children Act (CA 1989).<sup>19</sup> My interviews included questions about the respondents' experiences of child protection medicals. I was interested to know what information was given to respondents and how they were prepared for the medical, which is an intrusive and difficult procedure to engage with. However, some respondents would not have required a medical because of historic offences or online offences (72% (n=8) did not have a medical, seven because their disclosures related to historic or voyeuristic offences and one because she might be pregnant). Of these eight respondents, 4 did not have sexual health screening processes either, due to the online nature of the offending. Those respondents that had more basic sexual health screening, mistook those for the CP medical, which gives an interesting example of how young people understand and relate to questions they are being asked. Some respondents reported being misled: one being told that she was going to have a full medical but was not taken for one.

*I had to have a medical the first night they came to see me. They said they were going to take me somewhere, I was worried about what it meant I had to do and when I asked, they said it is ok and I just ended up just giving samples of saliva and a urine test.*

(YP B)

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<sup>19</sup> A paediatric medical assessment should always be considered when there is a suspicion or a disclosure of child abuse and/or neglect involving injury, suspected sexual abuse or serious neglect. This is often referred to as a child protection medical or section 47 medical. There should always be always a joint police, social care and health decision on the need for a CP medical. The need to consider a medical assessment in these cases arises from section 47 of the Children Act 1989, which places a statutory duty on the Local Authority to make enquiries to enable it to decide whether it should take action to safeguard and promote the welfare of a child. These procedures also support the need to consider if a medical assessment is in a child's best interests.

YP B was not clear what a medical would entail but believed she would have to undergo a full medical and was anxious about that. Her quote suggests it was the police who came to see her, and she did not mention any health professionals so might well have seen a police doctor.

Another respondent was also unclear about what a child protection medical was. She talked first about her visit to the doctors for a pregnancy test, then remembered that she had not been given a medical due to the pregnancy.

*Well, I went to my GP for a pregnancy test, that was all, and the police wouldn't give me one because they said I might be pregnant.*

(YP A)

Others also misunderstood what a full medical constituted. YP F believed that the basic tests she had experienced were a medical.

*I had a medical, well, swabs taken from my throat and had to give a urine test. That was a doctor, so it was not too bad. That's all they did, oh and they took my clothes and phone and things. I still don't have them back even though my trial has finished, can you sort that?*

(YP F)

Another respondent noted that the lack of a medical was confusing. After being told one was necessary, she perceived it being dropped as meaning no one caring about what had happened.

*The incident happened, I was offered a medical, but it was three weeks later, and they said, 'You don't need to do it now' because there was no point, you know? They could not get anything from it. It's a bit like why bother, whatever.*

(YP G)

It was clear from the interview that the young person was affected by the apparent lack of urgency to undertake the medical examination. This was due to the time between the abuse and disclosure, meaning that the relevant DNA would not be present, but resulted in the young person losing confidence in the process and feeling disheartened.

Another respondent knew what a medical involved and was relieved she did not have one.

*I didn't have a medical because I hadn't told them in time to get any evidence. I don't know how it would have made me feel, I just am glad I didn't need one.*

(YP K)

This young person disclosed multiple rapes and may have sustained internal injuries that were not captured as evidence. A medical might have corroborated internal damage or bodily injuries, depending on how long ago the rape was. This young person also disclosed that at the time she was still being threatened by the individuals involved so was at risk of further abuse.

One medical did not take place, because the child was missing from home with the offender at the agreed time of the medical (YP C)

*I ran away to London with someone and they wanted to take tests and swabs, but I denied that anything had happened, so they left me alone.*

(YP C)

In this case the young person's refusal resulted in no further action. However, the professionals could have used alternative methods of gathering DNA and evidence of abuse, such as asking the parents to remove any clothing worn when he returned home and giving it to the police to be checked for the offenders' DNA. Such cases are often called an evidenced



based or victimless prosecution (HMIC, 2015), because the victim does not support the prosecution, but the DNA evidence proves the crime. Instead it took a further six months before YP C was ready to disclose and action was taken. If this evidence is available, then there is no need for a CP medical and if DNA evidence is proved on clothing and underwear, the young person does not have to go to court and be cross examined.

Whilst it is impossible to strike a fair balance between protecting the young person's rights and proving there has been abuse by collecting and handing over the evidence to the police, the onus should be on doing what is best for the welfare of the child. Particularly when there is any suggestion that the child might continue to be abused, as was the case for YPC.

A pragmatic decision is made, ideally in the best interests of the child, as to how and when to undertake any medical. Three of the cases above (YPA, C, K) demonstrate that all opportunities to obtain evidence were not always taken, and this can confuse the young person and can hamper the progression of the case and chances of a successful prosecution.

Two male respondents had full CP medicals (YP's I and J). They did not want to discuss that part of the process in detail, perhaps because I am female and because it is generally embarrassing. They were advised that they did not need to tell me anything personal, just how they were prepared for the medical, what information they were given and what support afterwards. They did not want to discuss this, illustrating how intrusive and difficult medicals can be and how it might never be comfortable to discuss them.

Above I have explored the feedback from respondents who discussed a range of medical processes. There are differences of opinion about what a medical constitutes, with no real information given about how they were prepared or spoken to about the medical processes and the terminology used. There is little sense that health services have always been involved, so no real consideration of broader health issues resulting from the abuse, such as trauma. Whilst I do not believe victims need to understand all processes, there should be some

communication about decisions made on each part of the process and at a minimum, a victim should be asked whether they think there would be any benefit of completing a medical or asked if there is any clothing that DNA could be obtained from.

More importantly, victims need to be made aware of their choices within these processes because no one mentioned that they had given consent, and none discussed being given the option of saying no to the processes they were taken through.

## **Conclusion**

This chapter has considered respondents experiences of their contact with criminal justice agencies in the stages of an investigation that take part prior to a court trial. It begins with an overview of respondent experiences of ABE interviews. Most respondents discuss their contact with the police and social care professionals as tense and difficult. The respondent feedback highlights a failure by professionals to follow good practice guidance in how interviews are conducted. The findings also illustrate that individual practice and attitudes have led to a failure to protect a young person (YP A) and following some interviews, young people have not been adequately supported or cared for. None of these respondents received any special measures for the interviews.

There are cross-cutting themes in this data related to respondents spending a long time in interviews and waiting around for the interview to start or end. This was most noticeable in YP G's case because she spent an exceptionally long time with the police, which she discussed as about seven hours. There was some good practice noted with two respondents being given the opportunity of a second interview to lessen the time they spent in that stressful situation.

The combined data does appear to show variation in practice when compared across the 11 respondents from 5 different cities. Mapping the data against cities (from page 185), there was a lack of planning and preparation for some interviews in all cities, although specifically area 3. There is clear information here about most of the interviews being very long, except

for area 1, where YP C and A experienced 20-minute interviews. This child was a repeat abuse victim of several different online offenders, who he then met offline, yet there appeared to be no 'extensive planning' apparent for his interviews,<sup>20</sup> particularly given the number of stages there are to the interview and need to allow for neutral discussions (See chapter 8).

The truth test phase and medical phase of the process were considered, and it was clear that most respondents were not wholly aware of why or how those parts of the criminal justice process work. Some respondents had noted being asked a childish question and two respondents received explanations about why the truth test was used. It was clear that officers in some cities, particularly area 1, 3 and 4 had adapted the questions for some respondents based on their age and maturity.

Across all cities there is evidence of repetitive questioning, mentioned by over half (n 6) of the respondents. This gives potential to compromise the child's testimony (Spencer and Lamb, 2012), because repetitive questioning can often lead to misinterpretation by the child, who might then say something untrue to please the interviewer, by saying what they want to hear.<sup>21</sup>

Three respondents have also referred to officers leaving the room to consult with colleagues, which is disconcerting for victims who are left on their own, in what is usually a small room with cameras pointing at them. Two young people discussed being taken to their interview

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<sup>20</sup> Working Together 2013, would guide some practice and there is an interesting example of how online CSE should be addressed in police interviews. *'Referrals concerning Child Sexual Exploitation or concerns about ESafety may require extensive planning, especially if the child does not regard themselves as a victim or the offence has been discovered rather than disclosed by the child. This may require more than one strategy meeting/discussion to plan how to proceed'*. (Working Together 2013: 5)

<sup>21</sup> This was discussed in the first Home Office police memorandum on ABE interviews, in 1992 and has formed a part of guidance since. *'Repeating a question soon after a child has answered... may be interpreted by children as a criticism of their original response... persistent repetition of a question may lead a child to give an answer he or she believes the interviewer wants to hear'*. (Home Office, 1992: 18)

by a social worker, but only one social worker sat in on the interview. Again, this is evidence of good practice not being followed<sup>22</sup>

Discretion was used broadly by officers, which in itself is not a bad thing, when it affects the child positively. For instance, in three cases (YPs A, B and E) the ABE interview lacked a rapport-building stage, at the child's request. In these cases, officers might have conceived the rapport building to be counterproductive if the respondent was very anxious. However, rapport building is not confined to the beginning of the interview and can be completed at any time when an interviewer meets a child. This is important to note, because five of the respondents did not recall the police attempting to create rapport, nor did they recall returning to neutral discussions at the end of the interview. Indeed, one respondent was equally upset by the conversation at the end of her interview as she was by the content of the interview (YP A). She discussed leaving the interview feeling upset and guilty for 'not speaking up sooner'. Those respondents who did recall police attempts at creating a rapport at the end of the interview noted different feelings about those attempts. One male respondent (YP J), appreciated the time that he was given to relax into the interview whilst two female respondents did not (YPs A and B).

These findings have to be taken in context with the rest of the information presented about where interviews took place, at what time of the day and how long they lasted. It is also important to note what support was offered to the child pre, during and post interview. Two respondents discussed being dropped off home alone after a traumatic interview (YP A and B)

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<sup>22</sup> : The Criminal Justice Act (1991), the Achieving Best Evidence guidance (2011) and the Victims Code (2013) all recommend joint police and social care interviews. Joint agency interviews bring different knowledge of the child, a different skill set, and improved knowledge of processes and procedures to bridge the gap between practice within criminal justice and welfare agencies. But more importantly, more involvement of other agencies in the preparation phase means more information about the child is obtained and often means there is opportunity to develop relationships and trust quicker and improve victim support (Allnock et al, 2017; Beckett et al, 2015; HMIC,2015).

whilst in contrast, one discussed very good support from the beginning of his involvement with the police to the end, (YP I).

Some important information has also been shared here about parents not being listened to (YP C), and poor use of creative prosecution techniques such as victimless prosecutions. Most of the interviews (10 of the 11) were single agency interviews.

In summary, when we consider the combined respondent experiences, a picture emerges of the respondents' needs taking a second place to the needs and timeframes of police investigations. Good communication was often lacking as was the participation of young people in those important criminal justice meetings prior to trial. This is discussed further below in findings 4, where the impact of taking part in a court trial and engaging with related professionals is discussed.

## **Chapter 9**

### **Findings 4.           The Impact of Court Trials and Related Professional Practice with Child Victims**

## Introduction to Findings 4

*I was being talked about, you know, talked over, like I wasn't even there. I was like, 'Hey love, hello.' I had to say something to get them to stop it.*

(YP A)

Nine of the respondents in my study had to attend Crown Court and one had to attend a magistrates' court to give their evidence in chief. One respondent did not have to attend his trial due to medical exemptions.

Young people discussed their need to take back some control when in court and surrounded by professionals discussing their cases. Y P A did this by challenging the barristers around her to stop talking over her. She asked to be included in discussions and, in her own way, was letting the barristers know that she did not understand their conversation and felt ignored. Where YP A felt strong enough to challenge the barristers around her, other respondents struggled to make such challenges and instead resorted to self-harm and general frustration as a means of coping with the very stressful experiences of these processes. This is one of the cross-cutting themes of respondent court experiences, where they were not fully able to understand what was being said and felt they had no control of the decisions made around them. Nine of the 11 respondents described feeling isolated and unsafe in the court environment, with only one, (YP C) feeling completely safe at all times in court.

My respondent experiences of court as traumatic and scary are consistent with what is previously known about child victim's experiences of court (see literature review)). They particularly referenced the adversarial cross-examination, lack of confidentiality and close proximity to offenders as a key factor of that trauma. They found the court and criminal justice process very difficult to cope with and to engage with despite all respondents being offered special measures in court. This is discussed in detail below, where the findings are presented by the respondent cities (1-5), to enable a comparison of services offered to

respondents individually and across all five cities. These findings begin with an overview of the time it took for cases to be listed and heard in court, following disclosure.

### **Waiting for Court and Within Court as a Cause of Further Anxiety**

One of the most common complaints in research related to child victims of abuse is the length of time it takes to get to court once the child has given disclosure. The more serious a case is (indictable offences), the longer the case will take to resolve if the defendant pleads not guilty (See Rossetti, 2015). This is compounded by the fact that there are more cases than ever now being heard at court (ibid, 2015).

There were quite different experiences for respondents within cities and between all cities. Two of these cases reached trial very quickly (YP A then B), whilst the investigation of the other case in city 1, (YP C) took much longer to progress to court, despite being indictable offences.

*It went to court about three months after I had told them.*

(YP A)

*It went to court about five months after the interview. When I was there, I waited about four hours to give evidence because they [the barristers] were still arguing about things and I was on the stand for just over two hours.*

(YP B)

The cases discussed here were also heard significantly quicker than the national average for trial to be heard, which is 11 months or 2 years for more complex cases (Rossetti, 2015; Plotnikoff and Woolfson, 2013). The third respondent in area 1 had a much longer wait to court.

*The wait was about two years for the first trial but that was with three of them because they had put them all together for the one trial.*



(YP C)

It appears to be significant that the other respondents from area 1 had one defendant in their trials. YP C, had more than one and this was no doubt the cause of the delay for the case to be heard. His case was more complex and steeped in difficulties related to him being blamed for his abuse, discussed in my finding's chapters beginning on page 102.

The respondents from area 2 (YPs D and E) also had a relatively short waits for the court hearings, similar to (YP B), discussed in area 1.

*I think it took eight months to get to court.*

(YP D)

YP E did not say how long she had to wait to go to court, nor precisely how long she was waiting before she gave evidence once at court, but she did comment on having a long wait.

*It was just one long wait, for everything you know, like to hear what was going on and to get to court and then in court, just waiting around for ever.*

(YP E)

In Area 3 YPs F-H describe what appears to be a two-year wait to get to court.

*It happened when I was 13 and I was 15 when I went to court.*

(YP F)

Given that she said she waited eight months to disclose her abuse (see findings 1 on disclosure), I can deduce that the wait to court was approximately 14 months. For YP G, there was no specific timeframe, it took approximately a year. to go to court.

*Between telling my parents and going to court it was about 12 months.*

(YP G)

And it was a similar timeframe for the third respondent in this area, YP H.

*It took 13 months before it went to court. I didn't get any special support for that.*

(YP H)

One respondent in area 4 did not indicate the time it took to get to court (YP I), but his was a very complex case involving many victims and therefore it would may have taken some time. However, YP J, discussed a relatively long wait to get to court.

*It was ages from giving my video interview and the court case, about one year, six months (18 months). It's a weird feeling sometimes felt like it's not happening, and I would like to forget it, then other times it was all I could think of.*

(YP J)

For the final respondent in area 5, it took just over a year to go to court.

*Ages, it was over a year anyway.*

(YP K).

To summarise, there were some very positive timeframes from disclosure to court within three separate cities, areas 1, 2 and 3. With Respondent A, area 1, having the shortest wait overall. However, YP C, also from area 1 appears to have had the longest wait to trial. In area 2 and 3, there were also examples of trials being held within relatively short timeframes in comparison to other child victim-based studies (Beckett and Warrington, 2015; Rossetti, 2015; Plotnikoff and Woolfson 2009). Whilst respondents discussed feeling like they waited a long time, in relation to the national picture their trials were either very quick or on a par with national trends (Rossetti, 2015). Trials held within the remaining cities 4 and 5, were also held within reasonable timeframes compared to that national picture.

Research is clear that child victims do not feel well supported or safe in court arenas and often this relates to the close proximity to the defendants, courts being too serious and officious.

Further, as explored in the literature review, adversarial cross-examination is both difficult and embarrassing and has been described as trauma inducing. To offset those fears, the recommendations in the Pigot committee report (1991) included a set of special measures that are used to keep vulnerable and intimidated victims feeling safe. The next section reviews the use of special measures with these respondents.

### **An Overview of the Information Provided to Victims Pre-Court**

One of the questions I asked respondents was what information they received pre-trial, what visits they had to court and what special measures they were offered in the trial. They should have been given a booklet or DVD that is provided by witness care about being a young witness in court trials.

Below respondents A to C, from area 1, discuss their preparation for court, which for YP A, included a visit to court and discussion about how to respond to questions.

*I went for a visit with my social worker and they did give us a disk about court, but it wasn't like humans, it was done for kids to understand. They were like, 'You have to understand that the best way to answer is yes or no' and I couldn't do that. They said they do intimidate you, say you are lying, like we know you are lying, and I thought I will say, 'You don't know anything, don't you know how hard this is for everyone?' I would say, 'Why can't you just see he is guilty, and I am sick of it, he has hurt me enough I don't want to do it any more.*

*As I watched the DVD, I was preparing myself really. I felt awful because I was getting him done and I thought I have to really. The police and my mum came to court with me. I had to sit in a chair and he could see me, but I couldn't see him. I did it via a video link. I thought, what if someone is talking about me, I couldn't do anything about it. I would have preferred to stand in front of the glass and told*

*them the story myself rather than being in that room. If they had called me a liar I would have said, You weren't there, so you don't know.*

(YP A)

The fear and pain are palpable in this child's quotes. She clearly gave a lot of thought to how she would respond to challenges and it is evident that she was advised to give her statement by video link (a special measure) because she wanted to be in the court. She highlights a common theme amongst respondents of deep anxiety and distress being experienced even at the initial visit to court because of the thought of what was to come.

YP B described her initial visit and preparation as quick;

*I went for a little visit so went to see the court room a week before, it was quick, and they said I could do the video link or go behind the screen. They told me before that they could not ask me questions about my age, but they did, and they made me feel so small and that felt really awful.*

(YP B)

This respondent was given the opportunity of the same special measures offered to YP A, however she was given conflicting information about what barristers would ask her about. I did not directly ask her about the 'age' questions because I had not asked any other respondent those questions, but it is evident that she felt let down when she was asked about her age and that made her feel dejected.

The third respondent in area 1 said he did not receive any information on court before the trial, unlike the two other respondents in his area. Despite that, as with all other young people, he was offered special measures in court;

*I don't remember getting anything from witness services, but I did have a talk with [specialist CSE services] about what would happen. On the day I was put down on*

*a secure corridor where all the video link rooms are, and I had the policeman I was working with, there with me the whole time. Then they just had the women who sat behind me in the video link room. Only one person was actually with me. Well once you come into the court you can't come round to the corridor without having to go through the back rooms, so once I was down there it was really just me and the policeman.*

(YP C)

Though he had little preparation for one trial, this young person did have good support from a specialist service worker and police volunteer on the day. He was clearly using special measures which allowed him to give his evidence via video link and as such he did not have to go in to the main body of the court. YP C was involved in more than one trial and had better preparation the second time.

*That time they did, they just showed me the court rooms and what they would be like and the witness care room and the corridor where I would be in for giving evidence and waiting.*

(YP C)

These quotes show that in area 1, only one respondent (YP A) received the appropriate witness packs from witness care services. She also appears to be the only one from this area who watched the video then discussed it with staff during the visit. The remaining respondents discussed visits to court before trial but did not discuss receiving the witness packs, despite that being a specific research interview question. YP B appears to have had the least amount of preparation of the group, but all were offered special measures to give their evidence.

The two respondents from area 2, YPs D and E, appear to have had consistent service from the police and witness services. Both were taken by the police for their court visit and both

received the necessary leaflets. They discussed seeing the rooms they would be giving evidence from, which also demonstrates that they were given these special measures.

*I got to visit the court, I went with the police. They said they wanted me to see where the trial took place and I would be able to speak to the court staff about what happened. I got a leaflet too from the court.*

(YP D)

*We went to visit the court and me and my sister saw the room I would give evidence from. I left with some leaflets on being a witness in court and I got given the name of a witness support volunteer to contact if I needed anything explaining. We watched a video too that explained all about being a witness.*

(YP E)

These respondents appear to have had very positive contact and communication with witness support services pre-trial. There is a similarity between the experiences of YP E and YP A from area 1. These respondents did not raise concerns about the timing of their pre-trial visits or the content of them.

For respondents in area 3 (F- H), there was less consistency in their pre-trial experiences. Also, for this group, there is strong evidence of communication breakdown and poor planning and preparation for two of the trials. For respondent G this meant the place of the trial was changed at short notice from a Crown to a magistrate's court and for another (YP F), a pretrial visit turned into the actual trial when the respondent was told she would be cross-examined on the day she arrived for her pre-trial visit.

*I met the judge in court and I was told in the morning I would meet my barrister and I got told I was going down to meet them, and the phone call my mam got was I had to go to court to meet my barrister and the trial would be in about a week.*

*But when I got there, they said, 'You will do your video interviews today'. I was really taken back. I couldn't believe it, I thought I was just there to meet people. I mean they said, 'You'll be questioned today' and then that never happened. It was so scary.*

(YP F)

It is not clear if the breakdown in communication was between the parent and professionals or between professionals, but clearly this had a very negative impact on this respondent and caused her unnecessary fear. Moreover, it is not clear why the cross-examination did not go ahead once the respondent had been told it would. However, respondent G from the same area also felt confused about the information she was given for trial.

*I was given a few leaflets about the court but not much and I didn't get a visit because the date of the trial kept changing. They said in May it would be November then when it got to November, they said they couldn't fit it in, so I didn't get to go. I got leaflets from Barnardo's and a DVD about court. It was one for a Crown Court, but my case went to magistrates and they said I should have gone to Crown, but we didn't. It was because the judge decided to hear it at magistrates. So, the leaflets and video were different. It was talking about a jury then I wasn't going to have one, so it was a bit confusing.*

(YP G)

The information given to YP G in the initial stages of planning were from witness services and were related to going to Crown Court. However, the respondent believed that it was the Judge who changed the trial setting to magistrate's court, which changed the whole dynamic of the trial YP G was to attend. It meant the information she had been given was not relevant. This raises the question of whether the decisions were made from a child-centred perspective or, made to comply with the defendants' rights and needs. In this case, I would also question

whether this was a fair trial for the child victim, because sexual offences are indictable only, so these types of offence are usually set within Crown Court and trial by jury. However, section 122(2) of the Coroners and Justice Act (2009) means the defendant had a right for the trial to be heard at a magistrate's court in line with his age and level of maturity. This was a peer-on-peer abuse case and the defendants' rights to a fair trial outweigh those of the victim. This court ruling gave a clear advantage to the defendant, who had allegedly committed a serious sexual offence yet received a community sentence.

The final respondent in area 3, YP H, was taken to visit the court but recalls that there was very little interaction with her once she was there. She left feeling unprepared for what was to come, a common feature of this group's experience;

*About two weeks before the trial they took me round court to show me where it would take place, but I didn't see or speak to anyone when we were there. It would have been good to meet the barristers and speak to them or someone who could tell me what would be happening. I left feeling like I still didn't know what was going to happen.*

(YP H)

YP H also suggested she did not get the support from witness services due to having to 'chase them for information' (YP H). However, I believe she was confused about their role and about the role of victim liaison and witness services. Victim liaison is an entirely different role to the volunteers who support in court.

*I think you are supposed to have witness care and they were supposed to give me updates and things, but they didn't do any of that. They didn't ever tell us the outcome at court. We rang in and got a letter a few days later.*



(YP H)

These respondents are clearly discussing poor preparation, which left them feeling vulnerable and unaware of what was to come in their trials. They suffered added anxiety due to this lack of preparation and because of the poor communication and engagement of services. This group were all aged 13-15 years at trial, a young and vulnerable group of respondents. Their experiences were significantly more negative than any other respondent area.

In area 4, only one of the two respondents were prepared for and attended court. Respondent I did not go to court, a decision taken early in his case management. Respondent J discusses his experience below;

*I'm not going to lie but man, I was scared about going to court. I don't know if I had a choice. No one was keeping in contact, but everyone just told me it was going to court. I got some leaflets before court. I don't think I was asked anything. It took ages anyway and I sometimes thought that it wasn't going to happen.*

(YP J)

It appears that respondent J was prepared for court by being given some leaflets, but he does not mention a pre-trial visit or other special measures. However, he does refer to poor communication, which is a cross-cutting feature of the feedback on this issue.

Finally, YP K discussed her experience as the only respondent in area 5;

*I got a leaflet and said I didn't want to go to court. I just said, 'Nah no thanks.*

(YP K)

Respondent K expressed her wish to engage on her own terms and it appears that her wish was respected. She refused a pre-trial visit but had said that one of her main supports in this process was a staff member from Youth Offending Services. Therefore, it is highly likely that

she had previously attended court as a defendant, which might have influenced her view of and need for a pre-trial.

Above the preparation for court is discussed. Six of the respondents (n=11) from three of the five cities, were taken for a pre-trial visit to court. One was not taken before his first trial but was before the second trial he attended (YP C, area 1). Three respondents describe their actual trial as the first time that they ever set foot in the court (YP C, K and G), one, because that was her wish. One of these vulnerable witnesses was invited to attend a pre-trial visit for Crown Court' but then her trial was heard at a magistrate' court and therefore she was ill prepared for how the trial would run.

There were some positive visits where respondents were given all relevant information and two discuss watching the resource for young witness's video (YP A and E). There is more consistent good practice noted in cities 1 and 2 and partial good practice in area 4, where one respondent was removed from the trial due to his individual needs taking precedence. However, in cities 3 and 4, there are very poor examples of communication, support and practice.

All the respondents were given the option of special measures in court and they particularly refer to giving evidence from a witness care room or from behind a curtain, but do not expand on what other measures they were offered. Some of that information is discussed in further conversations below. The experiences of victims in area 3 is overwhelmingly negative. This feedback would suggest that area 3 needs to develop and improve their approaches to this part of the process and ensure there are clear systems, points of contact and timeframes in place to ensure vulnerable victims are appropriately supported.

## **Am I a Victim or Villain? – The Impact of Cross Examination and Related Processes**

*It's not fair or appropriate for the defence to speak to you like that. You know, they made me feel like a criminal and the court was so unorganised, they even forgot to give me the date for the sentencing.*

(YP F)

This section deals with respondents' experience of cross-examination. They discuss suffering many delays in court, the absence of supportive influences like parents (discussed in more detail in the next section) and anxiety while waiting to be cross-examined. Here respondents discuss some very concerning attitudes and challenges that child victims should not encounter in courts, given that there is clear guidance in the Victims' Code (CPS 2015) about appropriate treatment of vulnerable and intimidated child witnesses.

Much like the wider literature on victim support and court experiences, young people discussed cross-examination within the court as the most difficult and disorganised part of their experience within criminal justice settings. Two respondents have discussed cross-examination experiences as abusive. The respondents recall being called liars and prostitutes, portrayed as seeking adult relationships and as encouraging adult attention. Each of these factors are discussed below.

YP F's quote that began this section refers to the way she was spoken to, a common problem for all respondents. This was due to the aggressive questioning they experienced and challenges about the honesty of their statements. Many discussed being made to feel small and became angry during their testimony. Many also discussed longer-term, negative impacts of the cross examination. The first respondent, YP A, ruminates on her feelings rather than what her cross examination was like and appears to have been spared due to the defendant pleading guilty.

*The police and mum went to the court with me. I was in court two days and started to give evidence the first day but didn't have to stand again the second day because he pleaded guilty. We got shown the rooms that we had to sit in and it made me really nervous and we went in a room and there were people crying and there were judges walking around in their get-up looking a bit like monsters and I didn't want to break down or anything because they would think, 'She is no good', and I wouldn't be good enough and I didn't want him to think he had won.*

(YP A)

Earlier I quoted YP A discussing how she thought she would react to the cross-examination when she was asked how she was prepared for court and she was full of anger and challenge (see page 174). It is interesting that in this quote, where she has been asked what cross-examination was like, she did not respond in the same way, in fact she appears a little lost, remembering how frightening the whole place was. She was only 13 at this trial and I was struck by the level of her discomfort in the court, some of which related to trying to keep herself together and some appears to be related to seeing other people's fear and distress in communal victim waiting cities.

YP B, gives much more detail about her actual cross-examination and notes what special measures she has been given, but I am not clear if the screen is a TV screen or curtain.

*I went behind the screen. They made me feel really bad. I didn't meet any barristers beforehand and I knew they had to try and make him look innocent, but they just said stupid stuff and they quoted sexualised conversations between us, it made me look so bad. I didn't think they should be allowed to say some of that stuff because it was so hard, but they just did it anyway. They should not say you are actually lying because it takes a lot of courage to stand up and go to court and they just*

*knock that down and make you feel really sad and small. They asked me lots of questions about what happened and what we said to each other.*

(YP B)

This respondent is also discussing the emotional and psychological impact of questioning that challenged her version of events. She describes being called a liar in open court, which is difficult for an adult to deal with, let alone a child who is already embarrassed and concerned about the jury, public gallery, family and court staff hearing the information. She describes herself as feeling 'sad and small' after this experience and also notes how much courage it takes to give evidence. There are also undertones of barristers manipulating the child by making her feel responsible for sexualised conversations with an adult. This illustrates just how challenging cross examination was for YP B.

*I felt really dirty. The defence person made me look like a real slapper, that's what I felt like. They asked me lots of questions about what happened and what we said to each other and that felt awful. I could see the jury and judge and barristers, two of them. They said, 'You are a liar'. I said something to them and they would say, 'That didn't happen, did it? You are lying, aren't you?' They made me feel really bad.*

(YP B)

The complaint about harsh questioning is echoed in many of the young people's interviews, including YP c who had a much more complex trial due to his trial having more than one defendant. There were three barristers cross examining YP C and he had the longest cross-examination of all the respondents, lasting days. The impact on him was very psychological and physical, including panic attacks, which stopped the proceedings for a while. He recalls

it was not only the questions that he experienced as aggressive but the barristers' tone and statements that undermined or challenged his own version of events.

*They wasn't even questions, more statements, like, 'You're lying' and 'That didn't happen, you are just making that up'. It was really like attacking and aggressive, it was just not very friendly questioning at all.*

(YP C)

YP C also recalled the Judge stepping in to stop aggressive questioning.;

*There was one judge who did stop them and then there was another judge who was more dismissive of the whole thing, but one judge kept halting barristers and asking if I was ok or if I needed anything.*

(YP C)

*I had three of them, all one after another. But they got to ask me things that the others had asked already so it was really repetitive. My heart was pounding all the time. I kept having panic attacks.*

(YP C)

YP C discusses an exceptionally difficult time during cross-examination and intervention from the Judge. It is possible therefore that there were overly harsh questions or barristers drifting into territory that had not been agreed as admissible by both the defence and prosecution teams in the ground rules hearings, under hearsay rules. It is good practice for the Judge to step in to prevent child witnesses being further harmed, something that was needed here because of the poor practice from defence barristers. In this instance YP C experienced anxiety in the form of a panic attack and a further delay in court. It also meant that he was troubled by the thought of having to go back on the stand to continue the cross examination.

YP D also discussed a difficult cross examination experiences in respect of being blamed and made to feel responsible for her abuse.

*I hated the cross examination. The barrister was a complete dick, he kept telling me I was lying and said I led him on. He said I wanted to be with him but knew I would get into trouble, so I told someone. I hated it, I felt like saying, 'Do one!' ... I was told they would have to make my statement sound like lies and they would undermine me, but it didn't prepare me for how horrible it was.*

(YP D)

However, YP E was spared cross examination due to the defendant pleading guilty on the second day of trial. However, she still raised similar issues to YP A and B about the distress caused by using shared waiting rooms and the time she waited to give evidence.

*That was like really scary. On the second day, he pleaded guilty, so I didn't have to give evidence. Waiting in that room was like torture, there were people dead upset and it was uncomfortable. Why didn't he just plead guilty to begin with?*

(YP E)

For YPs F and G there was also discomfort and anxiety during cross examination. YP F, did not make any specific reference to what question or challenge upset her but she described the whole experience as 'so difficult she left the room' (YP F).

*They asked what route I went, how I got home. Who I was with and they made me shake and feel so angry with the way they were questioning me. I couldn't sit there looking at their smug faces, so I got up and left. The defence barrister was stopped by the judge a good 12 times and he apologised to me after the case. They took me and my mam and my support worker into the judge's room and they apologised for the harsh questioning.*

(YP F)

Reflecting on the cross-examination, YP F believed the questions were too difficult to understand. She recalled not only aggressive questioning, but also the judge rewording questions for her as she could not understand much of what was being said. As result she felt very frustrated and angry.

*As I was under age, they shouldn't really have talked to me like that. I felt so intimidated and felt like they treated me like I was the prisoner. It was awful. I said so many times, 'I don't understand what you are saying'. I don't think they took into account that [it] was the first time I had ever been to court and I was 13. At one point the judge reworded a question from his barrister so I could understand it. I don't think they realised how hard it was.*

(YP F)

This young person has raised another valid point about the manipulative ways in which barristers use language to confuse children. This issue is one I believe could be resolved by all young people having intermediaries<sup>23</sup> to ensure that the questions put to them are appropriate, understandable and phrased in ways that are not suggestive and confusing. An intermediary would take in to account the child's emotional intelligence and biological maturity and overall ability in context of the trauma they are suffering.

The Victims' Code (2015) does suggest that any child can be considered for support by an intermediary, which is mirrored in the ABE guidance (2015), yet usually only those children with identified learning needs are supported by intermediaries (Beckett and Warrington 2015).

No child in this respondent group was offered or assessed for support through an intermediary.

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<sup>23</sup> Youth Justice and Criminal Evidence Act, S16; recognises that some victims are vulnerable and therefore can receive support from an intermediary on the grounds of 'age or incapacity'. As YP F could not understand questions she would have qualified and benefitted from an intermediary.



YP G, was part of a group prosecution where there was one offender and several victims. She discussed being cross examined for two days and the difficult circumstances of her case, including her trial being stopped due to jury changes. She was fearful of returning to court after those changes because she felt so 'intimidated'. This was a very long trial too, and whilst she would not be there for the whole four weeks, this would also play a part in her anxiety.

*I had to go in to be cross-examined and that took two days. Then they said I would be called back in a couple of days and I wasn't. They said the jury had to be changed because one of the other girls knew someone on the jury. It was really bad. Then the next morning, I had to go back, and I said to my mam 'I can't do it'. I just couldn't go in. I felt so intimidated by them. They were awful. The trial took four weeks to finish.*

(YP G)

The final respondent, YP H, like YP G, discussed how difficult it was to understand the barristers, even those representing her.

*The responses I received from my questions were hard to understand, and I didn't know which lawyer was mine. I think sometimes they come and meet you, but I didn't get that, so I just got questioned. I think I worked it out because one was a bit harsher than the other, but the other one was harsh sometimes too. She would ask me a question and then say, 'But that didn't happen, did it?' And she said, 'I suggest that you were a child and he was just being friendly, and you took it the wrong way?' It made me more determined and I said, 'I am here to tell the truth and that is what I will do'. My ISVA punched the air and mouthed 'yes'. There was so many words I didn't understand, and the judge told the woman defence lawyer off.*

(YP H)

This respondent also highlights an interesting dynamic about the way female victims are treated when the defence barrister is also female. However, it is not possible to compare this more broadly due to most respondents having male barristers. It is apparent that many of these respondents' experiences match those noted in wider literature that suggests it is impossible to cross examine child victims without re-traumatising them. It is argued that it would fundamentally compromise the defendant's right to a fair trial to cross examine child victims without suggestive, or challenging questions (Starmer, 2013). This respondent was so anxious that she was unaware of which barrister was hers and which was for the defence. That might also mean that she perceived the questions from both to be challenging.

The next respondent (YP J), also had a difficult time in court during cross examination. He discusses barristers being 'cruel' and using his sexuality against him.

*Court was a real shocker, do you know? It was the scariest thing I have ever done! I had to give evidence from another room and I hated it. The barristers were so cruel. They called me a homosexual and said I was out there looking for a relationship. One of them said I was to blame because I encouraged him. They made me really angry and I got so mad I couldn't speak, I just choked.*

(YP J)

This young person left the court after his cross examination and self-harmed by punching walls because of the anger and shame that he felt. This was also the case for the final respondent YP K, who described her cross-examination as a public shaming, she also self-harmed whilst at court because of how this made her feel.

*I was shaking all day. The cross-examination was like being publicly shamed, you know, they said I was lying, and I had gone looking for him, invited him in, but my*

*mum said that too. They said I was in it for money and I was selling sex like I'm a prostitute. They said I was in it for what I could get. I was burning my arm at the lunch break, with a lighter to get the frustration out and I would go out for a cig and see his mates and get all angry again.*

(YP K)

Respondent K had a very difficult time in court and was clearly struggling to deal with the pressures and emotions she faced. This young person was accused of selling sex, something that a child cannot do legally (SOA, 2003) and therefore should not be accused of. This resulted in her self-harming and that was not dealt with on the day. It is not clear how badly she harmed herself or from her narrative whether she told someone. She makes reference to seeing the defendant's friends, so it is not clear whether she is in a secure area or in public area, but this gives real insight into the added pressures and anxieties for some victims. YP K was at court without any family support but did have a youth offending services worker with her.

Above the feedback from across this sample group demonstrates that it is not only the outspoken challenge that impacts on young victims negatively but the implied one too. Two respondents discussed self-harming as a direct result of their cross examination. All respondents found the court systems and processes challenging and 7 of the 10 respondents who went to court discussed waiting around as an anxiety inducing an issue. These are issues clearly noted from the broader literature of victim experiences in court that demonstrate there has been little change in this respect (Plotnikoff and Woolfson, 2009; 2004; Lamb et al, 2007). Two respondents specifically notes the poor facilities and support for teenage victims in the witness care rooms.

*I had to go in on the first day then just on the days when I gave evidence. It took about three or four days for each case. I was usually there about two or three*

*hours before I was called. The management of court was bad, things like I was asked to be there for 10 in the morning but not questioned until 3 in the afternoon. It was the waiting that made it worse. Then the barristers questioning me that made me go into a panic attack.*

(YP C)

*It was just really quiet downstairs and we had to wait ages until I gave my evidence. They should give you something to do or let you wait with your family, the waiting just made me really nervous. I was going scranny, but I was using my phone. The stuff in the room was childish, well for kids, like story books, DVD's and cars, then I went up and I was cross examined for about 1 hour 45 minutes.*

(YP D)

The subtle and overt ways in which defending barristers manipulated evidence has a confusing impact on child victims (see Spencer and Lamb, 2012; Plotnikoff and Woolfson, 2009). Despite years of legislation and good practice guidance to prevent child victims being re traumatised, this section of the findings illustrates that these respondents have been further harmed. The last of the cases in my study was heard in 2015 and that young person described a very aggressive and challenging cross-examination where the Judge had to step in on several occasions to stop (YP C). This feedback also shows the complex dynamics at play for a child witness in trials, including a need to negotiate adult and officious language, harsh challenges to their evidence and child blaming borne from defence tactics to undermine the child's testimony (Hershkowitz et al, 2007). The issue of parents in court is discussed in the next section, which for some respondents, was another source of anxiety for some.

## **Parents in Court – Anxieties vs Support Needs and Other Dynamics**

The respondents had mixed feelings about having their parents attend their trials. On one hand they discussed a direct need for parental support for themselves, but on the other they did not want their parents to hear all the information shared at trial or the defendant's versions of events. These fears created further anxiety and stress for those victims involved. This information is set out below in context of each respondents view of parental attendance. These include compulsory attendance for parents as witnesses (2), then some examples of negotiated parent attendance (4), and a final example of the impact of a parent not attending, perceived as her not caring about her child.

### **Compulsory Parental Attendance as Witnesses.**

Two respondents described their parents attending court as witnesses and below, they discuss their fears related to that attendance. For one, YP F, the fear was not only what her mother would hear at trial, but what she would ask.

*She had to attend because she was a witness. That was bad enough, that meant we couldn't even sit together at the court and then they asked her stuff like where her washing was kept and things. It was stupid like, I don't know why that is important. Then I was panicked in case she asked difficult questions.*

(YP F)

For another respondent in this area (YP G), there were very similar issues discussed.

*My family attended court, I wanted them there, but I couldn't talk to my mum and dad on the day because they were witnesses. I had my ISVA with me so that was good.*

(YP G)

The inherent tensions with this parental attendance is that parents are not completely free to support their children in court until they have given evidence themselves. However, respondents were also very concerned that the parents would hear the defendant's version of events and believe that version above their own child's. This was also true of non-negotiated parental attendance.

### **Non-Negotiated Parental Attendance**

In the quotes below, the parents have attended court, despite the child's wish that they do not attend. There are key dilemmas noted here: one victim is concerned about the impact on her mother and worried about what testimony she would believe, and the other was concerned about the parents hearing the testimony, resulting on a perceived level of distrust between parents and child following the court session. Here 3 respondents discuss their experiences and feelings about this.

*My mum was there most days. I didn't want her to be because it was really upsetting her, but she wanted to go. I really didn't want her in the court when I was being cross-examined because I didn't want her to hear everything. I was worried that she would believe them [barristers] and blame me for what happened.*

(YP D)

*My parents came. It was really, really horrible. They heard everything, and it made me look so bad. Court was horrible, it was the worst thing I have ever had to do and after all that my parents don't trust me now.*

(YP B)

Another young person discussed his wish to have the police volunteer, who had been a consistent support in the months leading to the trial, with him at court. His parents did attend, but this caused anxiety because he was worried about them being there.

*I just didn't want them there at the time, not that it was annoying me, but I just wanted to be with the policeman 'because we had that friendly relationship and it was more chilled than if I was with my parents.*

(YP C)

The next respondent discussed what appears to be a cross-cutting theme, a fear that her parent would believe the defence version of events.

*It was scary, like, what if she [mother] believed him? It was hard though. I kept thinking this is a dream and kept waking up. I had to give the police scan pictures and a pregnancy test and a letter from my GP. I had to also take a letter from the abortion clinic. I hated it all being brought up again in front of her [mother].*

(YP A)

### **Negotiated Parental Non-Attendance**

Another respondent, YP H, said that her parents wished to go to court but they agreed not to because she was upset at the thought of them going and hearing the defendant's testimony. However, the quote below suggests this respondents' reasons were equally focussed on her wish to protect her parents and avoid her mother ruminating on what she heard.

*They wanted to go but I didn't want them to. I didn't want them there. I think it was because I knew the kind of questions, they would ask the defendant and I didn't want them to hear any of that. It would have always dwelt on her mind. I*

*didn't really ever tell my mum everything, so it scared me to think they would hear everything from his perspective.*

(YP H) Another

respondent had similar fears about what his mother and sister would hear at trial. Despite this he wanted their support but discusses his fear of their reaction to his cross-examination and whether they would be influenced by that and treat him differently, perhaps with a level of blame. It appears he regretted them being there at the trial end.

*Yes, they came... I didn't want them to, but in a way, I did. I didn't want them to hear everything in case they treated me different. I didn't want it to upset my mum either. Them being there made me feel even worse.*

(YP J)

Finally, YP K, had similar fears about what her mother would hear should she attend the court. However, it appears that her mother did not want to support her. This was a recurring pattern for this victim, who has described a tense relationship with her mother and at times lacked family support. In the main, she had only experienced support from professionals rather than family members.

*No. I didn't want them to, well there is only my mum and she didn't want to either, so I didn't have to worry about that stuff.*

(YP K)

The respondents above discuss stressful factors related to parental attendance, but for YP B, there was also a stress factor related to her friends being witnesses at her trial. This meant they had a level of understanding about what abuse she had suffered. There was a double discomfort because her friends were questioned about this very personal and sensitive matter and then the barristers did not call them to give evidence on the day of the trial. She described how this had had a lasting effect on the friendships.



*It was hard, a couple of my friends were witnesses at court. That was horrible because I felt like it was my fault and they got them all worked up about it and then decided they didn't need them. They turned up on the day and everything, got them all stressed, then said they didn't need them, after all that. I hated it. We are still friends but it's not the same.*

(YP B)

The quotes above discuss cross-cutting themes in young people's concerns about parents and family members hearing the full extent of their abuse in court. More concerning was the fear that parents and siblings would believe the defendant's perspective. This caused additional anxieties for the young people and created inner conflict for some who wanted the parental support and reassurance in the court but simultaneously did not want them to attend because that could impact negatively on their parents and their relationship with them.

Below, the theme of additional anxieties in court are continued when discussing close proximity to offenders and their families in the court.

### **Unsafe in the Court - Proximity to Defendants and Their Families/Friends**

Anxieties appear to have been exacerbated for three of the victims due to their families having contact with the defendants' families in the court. This was facilitated through shared public galleries, waiting cities and cafes, and was an unexpected source of anxiety for some victims.

*There was quite a lot of waiting about and it was everyone in the same places, so my parents were in the café and waiting area with his friends and they felt really intimidated by them.*

(YP B)

One victim met the defendant's family on being taken to the café by a Witness Support Volunteer.

*Oh my god, they didn't have a clue, right, took me to the café and I said, 'I don't want to be here, his family are there' and she was like, you will be fine with me dear'. I was proper scared and got out of there. No way was I staying.*

(YP D)

This led to the young person walking out alone, which could have resulted into her bumping into the defendant if they were waiting for court to begin. She was very upset about this incident and stated that she later 'got my sister to put in a complaint', because she felt so unsafe.

This is a difficult risk to manage as most trials are open to the public and therefore anyone can attend. The same issue arose for YP K, who discussed some visual contact with the defendant's friends, some of whom might have been already intimidating her. Her YOS worker had also told her what the defendant's friends were doing in the public gallery and that angered her further.

*[The YOS worker] said they were sitting there giving him the thumbs up and he was in the box sneering and laughing at them. I got really angry because I could see them outside having a smoke and laughing at me when I came out.*

(YP K)

The respondents above cities all highlighted a factor that would be removed should section 28 of the YJCEA (1999) be implemented<sup>24</sup>, allowing them to give their evidence in chief from another building, which would also mean families could be with them in a safe space away

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<sup>24</sup> Section 28 of the Pigot Report (1991), was due to be implemented in March 2017, following the 'Close the Gap' campaign (NSPCC 2015), to have section 28 implemented nationally. However, it has not happened, despite successful trials in three separate cities of the UK and strong recommendations for section 28 to be implemented to improve child victim support in abuse trials (see literature review for more information).

from these risks and anxieties. The remaining respondents who attended court did not have any information to share about their contact with defendants in court, which would suggest they felt safe and contained. In the next section respondents discuss the outcome of their trial. Within this section there is information about whether a successful outcome at trial helped to reconcile some of the anxiety's respondents felt during the investigation phase and whilst taking part in trial.

### **Negative Experiences of Professional and Court Support**

Respondents were clear that some of the professional practice they experienced had a negative impact upon them. This is discussed below in the context of the Witness Services role in court. Witness services in courts is a volunteer service. These volunteers take care of witnesses during the trials, they help victims deal with the experiences of court and support them when they give their evidence. This section begins by presenting the information shared by two respondents discussing a lack of perceived confidentiality

*They came in and shouted my name then just said out loud what I was there for. I was completely flipping embarrassed!*

(YP A)

*They started talking about another case in front of me and it was really personal, I was shocked.*

(YP B)

This created some fear for both young people, who were concerned about whether confidentiality would be maintained in their own cases. Other respondents discussed witness services as disorganised. YP J recalled an arrangement to keep him safe, which involved him

being met at a side door to the court by a witness services representative. However, the information was not passed on to the staff, leaving him with no option but to go through the front doors of the court on his own.

*She were supposed to meet me at the side door at 10 o'clock. I knocked; no one came so I rang a bell, and no one came, and I had to go in the front door on me own. When [my support worker] saw me, he said something to her. She just said, 'I wasn't told,' and said she was too busy to talk about this.*

(YP J)

The implied risk here was that the child could have met his offender if he were free, or his family and his sense of safety was removed because his special arrangements re witness care were not followed.

For another respondent, YP C moving around the building where perpetrators and their families were made him feel unsafe. When he mentioned this to a witness care staff, he felt he was 'just dismissed'.

*I don't think even if someone had told me that it still wouldn't have prepared me for it. It is completely different when you are there on the spot and someone is there in front of you and you have to go past them to get to the room and feel scared because you know they are with the guys on trial. I said to the volunteer I didn't want to go past him, and they just said I would be fine, they didn't consider how I felt.*

(YP C)

The issues discussed related to witness care form one of the clear recommendations from this group of respondents that they be allowed to give their evidence from another building to ensure they do not feel so anxious about seeing the defendant and their families. Whilst this

section discusses respondents' experiences of witness care, other professionals are in court with victims and it is important to balance the negative experiences with more positive ones and these are set out below.

### **Positives Experiences in Court and of Police and Court Officials**

My interview questions did always have a balance to them in terms of what was positive and what was negative about your experience. Here some of the respondents discuss the positive supports they received during the process.

*I had one police officer who was great. She would say the best thing to do was to show that he hadn't got me down and I tried hard but didn't do very well.*

(YP A)

This does show that there was positive input with YP A from a police perspective. Respondent C discusses consistent support from the same barrister, who supported all his prosecutions and trials and regularly checked on him during court.

*I only met the prosecution barrister. I liked him. I have had the same one throughout the whole lot because he wanted to take on my cases. He has always come down before and explained what was going to happen and he kept coming down to check that I was ok and things.*

(YP C)

This was also positive, and it is interesting that it was not mentioned in the part of the interview covering his court experience. This does highlight how responses to questions can be limited by the interviewee, which can limit our understanding of a child's experience and possibly be misleading.

The next respondent made reference to the Judge being 'nice' but has disclosed above that she did not know which barrister hers, suggesting she did not meet them beforehand, another good practice recommendation.

*He let some go (offences) but I thought the Judge was nice though. They wore wigs and things; they didn't ask if I wanted them to remove them.*

(YP G)

Finally, YP F, discusses a positive in the fact that she was given a peer mentor, but also highlights the negative aspect of that support.

*I got a peer mentor through Barnardo's. I was referred there after my interview. It was hard because professionals were saying it would be a positive verdict and ok in court, but she [peer mentor] said don't believe that, it is hard, and you might not even get a positive verdict.*

(YP F)

Given that respondent F is discussing this in context of positive support for trial and post-trial, she notes a conflict between professionals and her peer mentor who was, in fact right about the need to be prepared for a poor outcome at court.

It is important that respondents could reflect positively on some aspects of support so that they are also being encouraged to think and reflect fairly about a very difficult process and time of their lives. In the next section respondents were asked to discuss what pre and posttrial therapeutic support they were offered and whether they engaged with that support.

### **Therapeutic support and pre-trial therapy provided**

Child victims of abuse are usually offered therapeutic support, and some have the added benefit of pre-trial therapy. This was offered to some cities but not all. Some respondents noted that they were refused pre-trial therapy due to the perceived risks of being coached or

too prepared for trial and cross examination. Below respondents discuss what therapeutic support they were offered and what they engaged with.

*I have been through it I got it pre-trial and therapy after. They said, 'It is not your fault,' and I say, 'Yeah it takes two', and they said he fooled me, and he made out he knew my mum, which is how I first met him, and my aunt had just died, and I thought he wouldn't hurt me. He was able to fool me because I needed to get out of my house because it was so sad in there. He knew that, and he would make me late going home and I'd get into trouble. I went to see him after school. He knew how old I was, and he wasn't bothered. I was 13 when this happened.*

(YP A)

The more this young person has shared the easier to see how very vulnerable she was. She and her family were grieving the loss of a family member and in the course of her abuse she suffered further loss through being groomed and giving misplaced loyalty and love to an abuser. Her therapy was authorised pre-trial because of the significant level of trauma she was suffering and because she suffered a pregnancy and termination as a result of her abuse.

Respondent B had what appears to be a lot of different support networks yet had an outstanding need that was not met when interviewed.

*I had support from CAMHS after, STAR (rape support project) and a social worker before and then a referral was made to [specialist CSE support]. I wasn't given the choice about going to court and I wish I hadn't had to go at all. I get counselling, but I don't feel like I have anyone to talk to. I know it sounds silly, but they just talk at me. I would rather they didn't give me lots of information and would rather have a friend. I would prefer a friend or mentor. I don't know if I would tell them though.*

(YP B)

This respondent appears to be overwhelmed with the support she was given and has many options to choose from. The quote suggests that the support offered after trial was not what she needed. There is a clear and important message here about the support victims receive being the right kind of support for the child's individual needs.

Another received specialist support through a psychiatrist. He engaged with that service fully;

*I had a psychiatrist who I worked with for three years and if I was stressed about anything and just needed to talk, I could go to him, but it was mainly through [a specialist support worker] that I would talk through information.*

(YP C)

This demonstrates that in some cities, good pre-trial and ongoing therapeutic support was offered to respondents while in other cities respondents were clear that they were not given any pre-trial support. However, all these respondents received support via specialist CSE services (YP's D and E comment in the positive experiences section) and they were supported by ISVAs within local and Barnardo's projects after the trial.

*I got a peer mentor through Barnardo's after it all, who I sometimes talked to, and I got a Barnardo's worker's support and still see them now, they were great.*

(YP H).

The final respondent to receive pre-trial therapy was not capable of dealing with the stress and pressure of court. With his consent, I interviewed his mother about this support.

*He wasn't doing well and had been sectioned in a secure ward for his own safety. At that time, he was suffering a mental breakdown and his self-harming was out of control. It was his psychiatrist that stopped his involvement in the investigation.*



(YP I's mother)

This demonstrates the lasting impact of the abuse but also that pre-trial therapy can be a means of determining whether or not victims are fit to take part in trials. There is a gap in current police and social care risk assessments in respect of understanding whether there is a predisposition to self-harm under stressful circumstances. The levels of self-harm in this group are clearly evidenced in the unexpected findings, see chapter 10 (p258).

Some victims were actively encouraged to accept pre- and post-trial therapy, and those who did clearly felt more supported than those without this service. Respondent K did not want to engage in therapy but regrets making that decision.

*I was asked if I wanted some help after the trial and I didn't then, but wish I had because I think about it a lot, especially if there is something on the telly to do with rape and stuff. I'm just not sure what they could do to help though. I mean they can't take it away.*

(YP K)

These findings illustrate that the lack of appropriate support can impact negatively on young people and highlights the need to provide a range of options for victims, so they can engage when they feel able to. Where therapeutic support was not offered, (such as YP' F, G, and H from area 3), the quotes show this can also be the cause of additional stress for child victims.

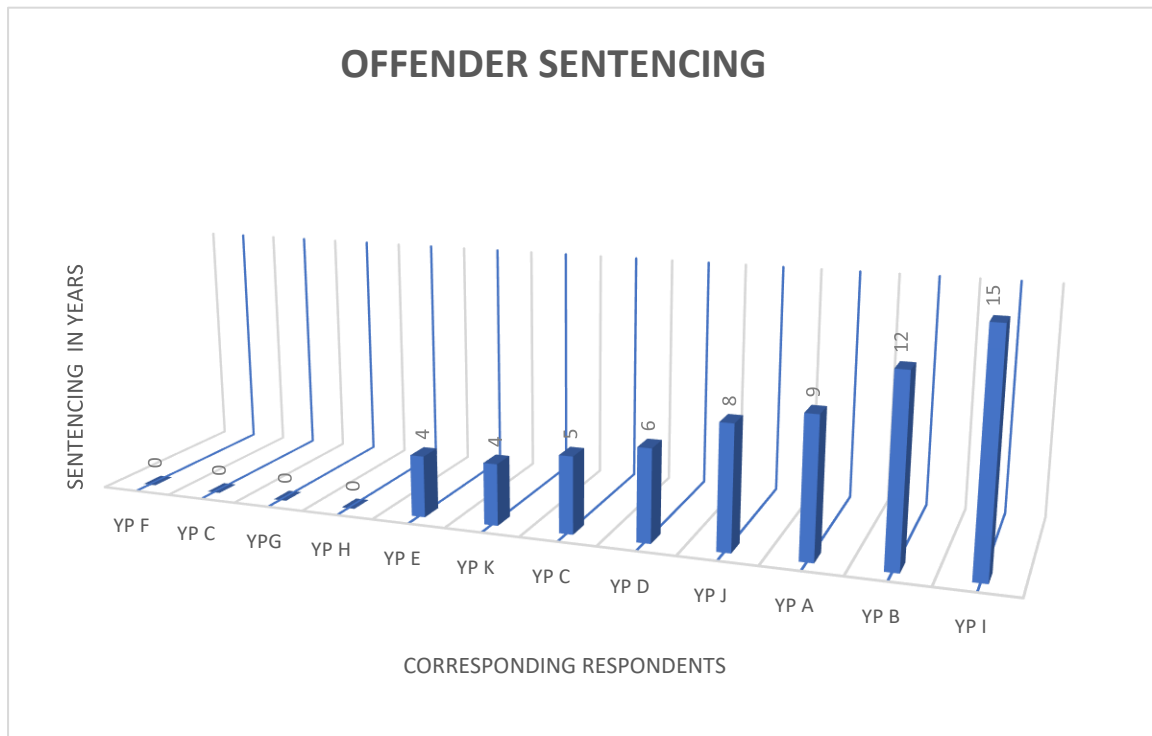
### **Trial Outcomes at Court**

Ten of the eleven cases resulted in successful prosecutions and the respondents talked openly about their views in relation to these outcomes. For some victims, the responses to the verdicts were conflicted. This included feelings of guilt about the outcome and the impact that the whole process had on their families, and the families of defendants. The respondents expressed anger about the ordeal that they had experienced and two discussed an anti-climax

at the community sentences given to their offenders. Respondents also discussed their sadness at the impact of the court on the offender's families. For this section I begin with a graph that shows the sentencing of the offenders related to these respondents.

### Graph 3: Offender Sentencing

Note 0 has been used to capture not guilty (YP F) and community sentences (YP C, G, H).



The vertical line shows the number of years given to the perpetrators. The most significant sentence was in relation to a male victim (YP I) whose abuser received a 15-year sentence. He was not the only victim in the case and his initial interview was admissible as evidence. He did not know the other victims, despite one living close by to him. The respondents discuss the sentencing below.

This begins with a quote from YP A, who is confused and appears both angry at her offender and upset about his sentence. She notes how his family responded to the outcome at court by defending him on social media and by suggesting she had lied. This quote shows the depth

of anxiety and number of dynamics this child victim had to cope with and is tinged with sadness.

*When he was found guilty it took some weight off my shoulders but doesn't help the fact that I have still lost something. He will be fine, he will have friends and have his family. I still have really confused thoughts about it. I lost my baby and that is the only part of him I had left. He got nine years. His family put something on Facebook about me, something about me lying about him. It made me feel intimidated and embarrassed and the police said if it was to happen again, they would arrest her.*

(YP A)

Another respondent described her confusion because she did not understand the outcome of the court case until it was explained to her by an ISVA. This is another example of the adult and officious court system being confusing for victims.

*My ISVA punched the air and mouthed yes and I thought is it over? There were so many words I didn't understand; the judge told the woman defence lawyer off. If he had been found not guilty, I would have been mad, but I feel bad about him going to prison. They told me his mum had been in every day crying and things that made me feel really bad. I wish they hadn't told me about it. I sometimes wish I hadn't told anyone about it because I feel so sad for his family. But if he was out, I would be scared about him contacting me and things. It's confusing really. I will be in my mid-twenties when he gets out, so I will be fine then. I think I will be safe; it will be all right and he will have restrictions about contacting me. You know people at school have been horrible about this, but nothing really serious, it just gets out doesn't it.*

(YP B)

YP B's perpetrator got 12 years 9 months in prison. She was one of many victims he had abused, but she did not know this until she got to court. This highlights another example of the police not communicating well with victims. The information given to her about his mother was unnecessary, and simply served to upset her and make her feel a level of guilt about his mother's sadness. This is an important finding about what should and should not be communicated to victims.

Respondent C also had a positive verdict in court, in that the offender was convicted with an appropriate sentence. However, he was due to begin a new trial for offences against him that were still to be tried. I have since been informed that there were over thirty perpetrators in his trials and between them offenders went to prison for 34 years. For this research, YP C discussed a level of fear due to one offender receiving a community sentence and described that outcome as worrying.

*One was suspended so he is out. What if I bump into him in the street or something?*

*That doesn't feel very safe, but the other got five years, he is in prison.*

(YP C)

Respondent D also had a positive verdict at court but was concerned about retribution from the offender's family. This was her residing fear, one already discussed by other victims above.

*He got six years in prison, but he will be out sooner than that. I don't still feel safe.*

*My ex comes from a big family and they are proper mad about him going to prison.*

*I worry about bumping into them in town or something.*

(YP D)

Respondent E discussed the sentence her offender received as a good outcome as she was aware of his sex offender notification order where he had to sign the sex offenders register. However, she does question the length of sentence.

*He got four years and has to sign on the sex offenders register. I would have been happier if it was longer, he deserved longer, but I know it is a good result.*

(YP E)

For the next respondents the verdicts were not what the victims wanted. YP F, was very upset about a community order for her offender and had a lasting sense of being unsafe as a result of that.

*He was found guilty but didn't go to prison. He got a caution or something. He is still in my local town and we have bumped into each other. He took my whole childhood away from me and didn't even get punished for it. It's three years on now and I still don't feel safe out and about if I am on my own.*

(YP F)

YP F's case is very similar to YP H: they both make reference to the long-term safety issues they suffer. This is one of the resounding issues discussed in the wider literature on child victims of abuse, where prosecutions for sexual offences appear to be very lenient (Bingham, 2015; Syal, 2013).

For YP G, the verdict in court was less favorable, and she questioned whether she had been believed in court. She also wanted to know why physical evidence was not enough to prosecute her offender as she believed there was clear proof of her abuse on her offender's technology. Despite this, the outcome at trial was a not guilty verdict;

*They said we were credible witnesses and they believed us but because it was my word against his they couldn't prosecute. They did have evidence of things on his computer and on his phone like text messages and things, so I don't think having it in writing was strong enough. I just thought if they really did believe me then they would have prosecuted him.*

(YP G)

This is the case that was eventually heard in a magistrate's court. The outcome was very disappointing for this victim. She was part of a broader case involving more than one victim, which might have affected the court outcome. It is positive that there were discussions with the judge afterwards to help her reconcile her feelings about being disbelieved, but the disorganised approach to this case could be called into question.

Understanding of CSE and grooming has improved significantly in recent years, and prosecutions are improving year on year, but in some cities of my study, the verdicts and sentences are low.

Two other respondents, one who did attend court and the other did not, found the length of the sentences unacceptable.

*He was doing this to others too. He got 15 years, that's all! Why wasn't that life?  
He will be doing it again when he gets out.*

\(YP I)

The sentence in YP I's case was of the longest time in custody in my study, yet I's anger is very evident in his question about why his offender did not get life in prison. This shows that no matter what the sentence is, the individual victims can still struggle to reconcile the abuse or feel vindicated even where there is a substantial tariff applied.

Similarly, YP J's offender got a lengthy sentence but J was worried that his offender would still be relatively young when he got out of prison.

*He got eight years, that's all. He will be like 40 something when he gets out. I am glad that he got prison, I would have been really mad if he didn't.*

(YP J)

YP J, like many other victims, was not aware of the split tariffs that can be imposed. It is likely his offender could be out of prison in four years on parole license. This lack of understanding was a common theme amongst respondents and clearly shows there was no immediate discussions with them to help them understand how sentencing works. However, YP K did understand this dynamic and noted that in her response.

*One was convicted but only got four years. He will be out in two and around my area again. Why bother?*

(YP K)

YP K was the only victim to mention the split sentence given to her offender, where two years will be served in prison and two in the community on license, a source of worry for her because she would then be at risk of seeing him again.

There were three community sentences and one not guilty verdict. Whilst these outcomes are based on jury decisions and one panel of magistrates, the respondents from some cities have presented a picture of their criminal justice court experiences as being disorganised, leaving victims feeling they were not believed.

## **Safety Fears - Offenders and Families in the Community**

Those respondents whose offenders received community sentences discussed how this affected them post-trial. Two respondents (YP C, H,), discussed their fear of contact with defendants who were given community sentences.

*I felt safe the whole time in court, well when the policeman was with me... But the person is walking around in the city, so they have a suspended sentence so are in the city and walking around. He was a teacher, so got a ban from teaching. That is what is unsafe, like what if I bump into him.*

(YP C)

Respondent H gives a similar account of fear related to the defendant's family, in particular the defendant's sister threatening her. She discussed peer bullying and gossip at school following her trial.

*It had a really bad impact on me. At school people would be talking about it and calling me names all the time. His sister threatened me, and the police said that was normal and not to worry about it.*

(YP H)

This also demonstrates the added dynamics of peer-on-peer abuse, where the young person is more likely to occupy the same space as the defendant and other pupils who are aware of the case. This highlights the need for contextual safeguarding of that child (See Firmin et al 2013 and 2016).

Finally, there were similar concerns for respondent G, whose defendant was not prosecuted.

*The defendant lived in the same area and he was walking around my area, so I always had to be with someone and my dad took me to school and things, even*



*though I only lived five minutes away. At one point the police said it might be best if we go away for a bit, but we couldn't because of mum's work. My parents made the decision to make sure someone was with me all the time. That made me think there was something to be afraid of and I wasn't happy about it really, even though it made me safe.*

(YP G)

This must have been a very difficult arrangement to maintain and again identifies those additional dynamics that victims can be subjected to, such as isolation and close monitoring, causing them to feel imprisoned and to blame for their abuse. There have been significant constraints on her family to keep her safe as a result of the court case.

The information above discusses the fears respondents feel when the offender is still in their immediate community post-trial. Below, the respondents also discuss what they perceived as negative practice within the courts or court services.

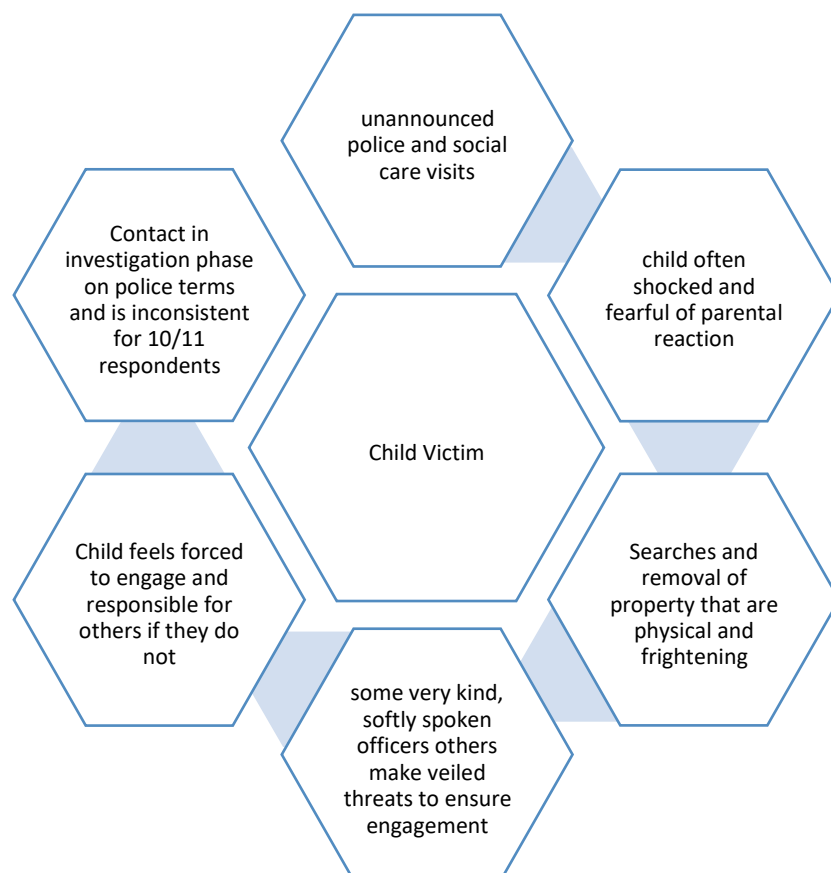
## **Conclusion**

In this set of findings, I have attempted to capture the respondents' views about their journey to court, within court and post court, drawing on common themes presented in the data. The diagrams below capture most of the respondent's views of police involvement, which appears to have received the most criticism of any service. There is no doubt that respondents experienced a great deal of stress and trauma on the journey to court, in court and for some there are lasting issues post court. Respondents depict a continuum of trauma from before they disclose, to the end of their trial and thereafter. Sadly, a high proportion of this respondent group had self-harmed directly after contact with a professional and none received support for that self-harm. As such, there should be a formal wellbeing assessment for victims along the lines of those already completed with prisoners in custody. This could enable

coordinated monitoring and support for the child victim, before specialist professional support is in place.

The hexagons depict the processes during the investigation as victims understand it. This shows that there is initially good contact with the police, but this tails off as the investigation proceeds. Visits are then often unannounced. Generally, they take place to clarify information with the child and family for the file being prepared for the CPS. Where there is a good deal of activity around the respondents; some believed this was to make sure they took part in the trial, because they had wanted to withdraw from the investigations (See findings 2, p143). The overwhelming feedback is that respondents felt that they were persistently requesting updates from officers in their cases, due to the lack of communication from them and the police were not available unless they required something to progress the investigation.

**Diagram 3 Child's View of Investigation and Police Contact**



Nine respondents were clear that the opportunities for contact were one sided: being based on the professionals' needs and timeframes. YP K, was clear that the police were not a supportive factor for her.

*The police were ok, just a bit cold really. You know what I mean? They were only interested in getting me there, not really there to support me. They spoke to my mum more than me if I'm honest.*

(YP K)

Only one young person and his mother were positive about the police 10 young people complained that communication in general was poor. This included unannounced visits, with little consideration of the attention those visits encouraged from peers in schools and from neighbours and family members. The general commentary about voluntary sector and health agencies was more positive as discussed in findings 1 'Disclosure' and Findings 2 'Perceptions of Professional Communication and Confidentiality'.

#### **Diagram 4 The Child's Journey to Court**



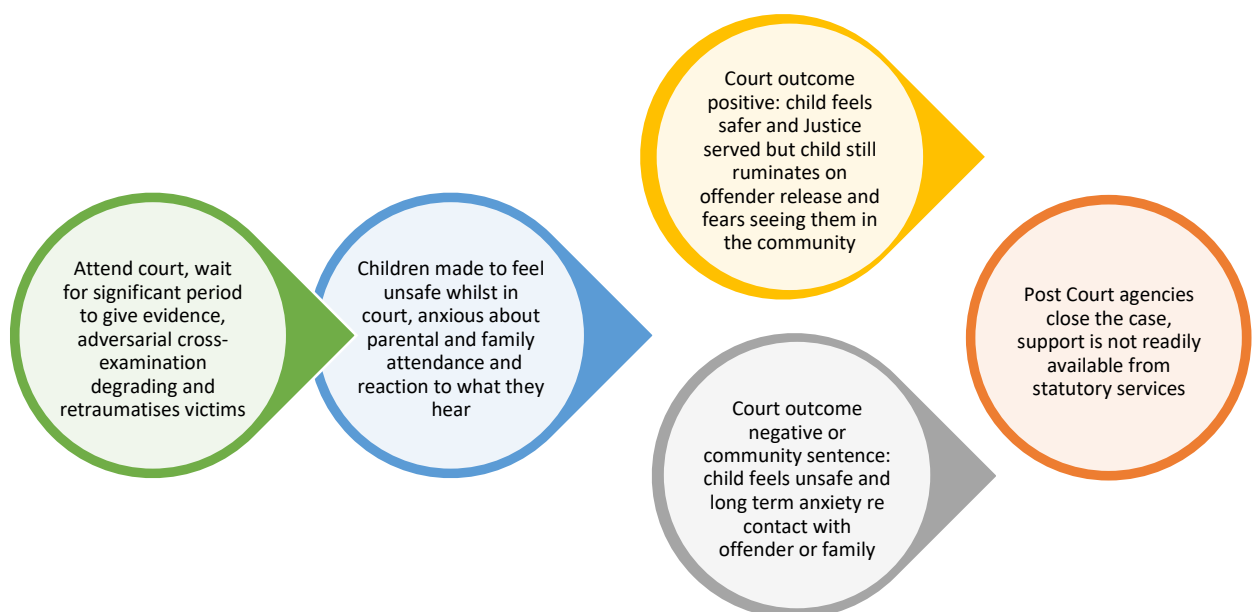
There are many parallels between these two diagrams above but this one shows the lack of control victims felt particularly when professionals circumvented their rights and made decisions directly with parents or spoke mostly to parents and teachers during their visits.

The next diagram shows the child's experience of court.

### **The Childs Experience of Court**

The linear diagrams show the child's journey from disclosure to post court. The outcomes at court (rings 3 and 4), are situated one on top of the other to illustrate that there is not an either-or outcome but there can be negative and positive outcomes of the same trail.

**Diagram 5. The Childs Experiences of Court**



In 2015, new guidance was produced to improve police and court practices with young victims (CPS 2015). There has also been the introduction of Victim Impact Statements, the Witness Charter, and minister as champion for Victims and many recommendations to improve the Witness Care Units in court (CJA 2009). Despite this, findings from this small sample group

of eleven respondents, evidence a stark picture of ongoing concerns about the lack of appropriate child-centred practices in court. These respondents highlight examples of harsh, inappropriate questioning, use of child-blaming language, safety issues and disorganised and unsafe practices. These findings mirror those about victim care still failing victims of abuse that were first highlighted in 1991 in the Pigot report and in wider literature more recently published (Plotnikoff, 2016; Beckett and Warrington 2016; Allnock et al, 2015; HMIC, 2015; CJIi, 2015; and Plotnikoff and Woolfson 2004 and 2009).

These findings reflect practice that has rarely been modified for supporting teenage victims and the continued use of outdated legislation and guidance that was written with younger children in mind. Much of the contact with statutory agency professionals has been experienced as judgemental, inconsistent and negative. Opportunities to communicate have not been taken and very basic key principles of process have not been followed such as maintaining confidentiality, methods of undertaking ABE interviews, and appropriate support not being in place. There is also evidence of poor practice in terms of the level of information shared with child victims about the impact of the trial on the defendants' families, which only served to upset the child victim further and make them feel guilty.

Respondents have also emphasised the discomfort they and their families experienced due to being in the same court as the defendant and their families and friends. There are also examples of ongoing stress and harassment at the hands of the defendants' families which was reported in all cases and apparently not dealt with by officers in any of the cases.

Finally, the trauma suffered by abuse victims can be sustained as a continuum of trauma when the case is not handled well, which prevents the child moving on. This includes the impact of communication and confidentiality issues and of specific processes such as adversarial cross examination at trials. Within this I include the impact of counselling that is not fit for purpose and fails to support the child. There are some important findings here in relation to the lack of risk assessments of the child and therefore lack of planning and measures to protect them.

There is also evidence of very poor communication and disorganisation related to setting trial dates and communicating them to victims and their families.

I sense that throughout the process of the investigation, these young people are given an identity of victim of abuse to help them understand that a crime has been committed against them. This is then stripped from them in the cross-examination at court, where barristers blame the victim and speak to them as an adult responsible for their abuse.

There are parallels here to the way that offenders operate and groom children and links to research about rape discourses and violence against women in general (Coy, 2016; Kelly et al, 2007). Some of these child victims have been accused of adult offences such as soliciting, selling sex and seeking out relationships with adult males. This child-blaming questioning and cross-examination does not happen with much younger children. And respondents found it very confusing. This emphasises the duality of the victimhood and agency of the teenage victim, which is also discussed in the literature review.

Amongst the negative views, there are some very positive recollections of support related to individual officers and specialist services staff in the voluntary sector, particularly the ISVA role. The combined findings from this respondent group have captured experiences of professional practice that are characterised by a failure to recognise these victims as intimidated and vulnerable victims in need of support. Sadly, even those positive interventions and positive verdicts at court could not rebalance the impact of those negative experiences.

The next set of findings considers what I have called the unexpected findings. These are issues that impacted on much of the respondent group but were not expected findings. They begin by reviewing the impact of media and social media on child victims.

## **CHAPTER 10**

**Findings 5.**            **UNEXPECTED FINDINGS** Introduction to Findings 5

This chapter outlines those findings from the interviews that were unexpected because they were not specifically related to any questions but have formed a significant part of the findings. The relevance of media portrayals of CSE cannot be underestimated. Media and related social media commentary had a negative impact on this group of victims. This is discussed by respondents below.

### **The Impact of Tabloid Newspapers, TV and Social Media Commentary**

*I saw that stuff from Rotherham on the front page of the paper, made me feel sick, I went home and hurt myself. It is just a constant reminder you can't get away from!*

(YP K)

For some, the media coverage of their case and of other cases was a major cause of anxiety and anger, because some respondents were not advised there would be coverage. But more sinister undertones also arose in the form of social media commentary on prosecutions that served to distress some victims.

Gossip on social media, such as Facebook, prompted by coverage of successful prosecutions posted on the local police force websites was described as difficult to cope with, particularly where it was unsympathetic. For this reason, young people in this sample group were unanimous in their negative views of media representation of their own cases and other CSE cases. This is relevant because the level of coverage or social commentary on child abuse cases has an impact on the victim's ability to move on from the abuse and it can add to their ongoing trauma. The table below shows the number and range of media that covered the respondents' cases. It is important to note that this table only includes coverage or commentary that respondents were aware of.



**Table 5: Media Coverage of Cases**

<b>YP</b>	<b>LOCAL PRESS</b>	<b>NATIONAL PRESS</b>	<b>TV</b>	<b>SOCIAL MEDIA</b>	<b>TOTAL</b>
A	2	1		3 platforms	6
B	1	1		1	3
C	1	1			1
D	1				1
E	1			1	2
F	1			1	2
G	1			1	2
H					0
I	2	5	3	2	12
J	1		1	1	3
K	1		1		2

There was no real variance in how cases were covered in the context of geography. Coverage of trials appears to have depended very much on the seriousness of the case, the age of the offender and the local interest. For example, those cases that achieved national recognition and televised coverage tended to involve more than one victim, so were linked to either

multiple offenders where ethnicity was described and portrayed as the key factor, or multiple victims of one offender (YPs B, C, I, and J). Nine of the 11 young people saw the local coverage about their trials. Three young people were involved in cases that achieved national coverage, whilst one respondent had several days where his case was covered in newspapers and on the television nationally.

Below respondents highlight how media coverage reminds them of their abuse even if it is not discussing their own cases.

*The other cases in the news trigger my attention and sometimes panics.*

(YP C)

*I'd keep getting reminded about this by other cases on the news and in the papers.*

*I think we should do more in school about it.*

(YP D)

The next respondent discusses seeing an interview with a defence lawyer who later cross examined her in court.

*I have seen other stories though, especially the recent stuff, and I saw his defence lawyer being interviewed about another case... They said, 'Describe your job', she said, 'We just push the witness until they can't take any more and give up and then we have done our job'. That is so wrong and made me so annoyed, frightened even.*

(YP G)

The respondent above was one of the only victims in this group to have that experience, but her response to the media coverage was very similar to other respondents as it caused fear of what would happen to her in and post court.

One young person was unaware of any reporting on her case in the local or national press until she received messages from friends on Facebook which alerted her to it.

*It's right that is, I hear about my own case on Facebook and I didn't even know it was done.*

(YP A)

Some respondents were aware of reporting and police-generated reporting on Facebook and note that to be the point at which negative commentary started.

*There was a small square in the local paper and the police put it on Facebook. They said I was from [town] and gave my age. It was in the Sun too, we have six copies and they called me 'Victim A'. It said there were other girls too; that's when I realised how bad he was.*

(YP B)

For the next respondent, to her knowledge there wasn't any coverage.

*I think it was because he was under 16, but there wasn't any allowed.*

(YP H)

And for another young person, the coverage on CSE cases in the media was overwhelming.

*Man, you know it, it's always on the news, they are always on about it. It's insane. It's everywhere you look.*

(YP J)

For another young person, the lack of control over who shared the information was what upset him the most and led to a serious suicide attempt.<sup>25</sup> Below his mother talks about how she believes the media coverage of his case made him feel.

It was everywhere. It even put [where he is from] and where the others were from. It didn't name him, but I was really angry when I saw it. People kept sharing it on Facebook too and he thought they were 'getting at him'. No one said it was going to be in the news like that. It was on the TV and on Facebook for ages after, it was even in the village newsletter and people just kept sharing it. [My son] got really upset when he saw his offender's picture. We all cried, but it's ruined him, he's tried to kill himself, he is just not the same boy... he will never be the same, he is so desperately sad and ill now.

(YP I's mother)

As an experienced practitioner, I can say this young person's reaction is one of the saddest and most difficult ones I have had to reconcile. His mother was very frank when I discussed this case with her, by phone and later by email, and she advised me about her son's second hospitalisation. The mother's desperation was palpable, and she was clearly at a loss as to how to help her son. YP I was presenting with paranoia about the social commentary on the media story of his case. He particularly struggled with comments made on social media. He perceived some comments as a personal attack. He truly believed that those commenting knew who he was, and he believed received homophobic abuse and threats. The coverage did name the city he was from, which he also struggled to deal with. He personally knew some

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<sup>25</sup> This young person's mother responded to some questions for him, having consulted and obtained his permission to do so, because of his deteriorating mental health. This case, more than any other in the sample group, gives real insight into the long-term damaging effects of child sexual abuse and its aftermath.

of the individuals commenting on the social media groups and so presumed or possibly knew that they knew the stories were about him.

However, not all social media commentary was perceived as negative.

*People on Facebook were really supportive and calling him a paedo. My friend put on FB, 'look she is OK now, she is doing well and getting over it' and someone asked her to say who I was. People don't understand how it feels when they are talking about you, but you can see what is being said.*

(YP E)

This is the unfortunate consequence of information being shared in the public domains, which means anyone can comment on an article or join a conversation. As we see with YP I, this can be perceived as very personal and hurtful and as a developed form of bullying (see Phippen 2015; Ringrose et al, 2012). Conversely, YP E, found the commentary and support of her friend a comfort.

Further complexities arose in another case of peer-on-peer abuse, where the verdict at court was not guilty and the victim was then subjected to bullying on Facebook.

*Afterwards, there was a half-page article in the newspaper and the headline was 'schoolboy walks free' and they were sympathetic to him being moved around from family member to family member. I think they should have to sign a confidentiality form, because they then just spread it all over Facebook and I got the backlash of that. It was horrible.*

(YP F)

The quotes above reflect the disquiet of those young people, a feeling that added to their anxiety. A surprising finding from this was that the police put the outcome of the trials on their own Facebook and Twitter pages, to advertise the successful prosecutions. The

respondents who have commented on this were not aware this was standard practice, so perceived it as a breach of confidentiality, despite there being no identifying information about them. This is an important finding because of how it affected the young people. Whilst I understand that the information is in the public domain once the court outcome is known, it is clear young people don't understand that and might require more information about where and when their cases will be publicised.

Media coverage should rightly raise public awareness of issues such as CSE, but it is also important to strike a balance for young victims who might not want their case to be shared and therefore require input and education about why it is in the public domain and why they have little or no control over what is published. Given that convictions are in the public domain anyway, there is no easy answer to this problem. It is a problem that requires some thought, because of the impact it can have on victims, such as self-harm and fear, evidenced above and below.

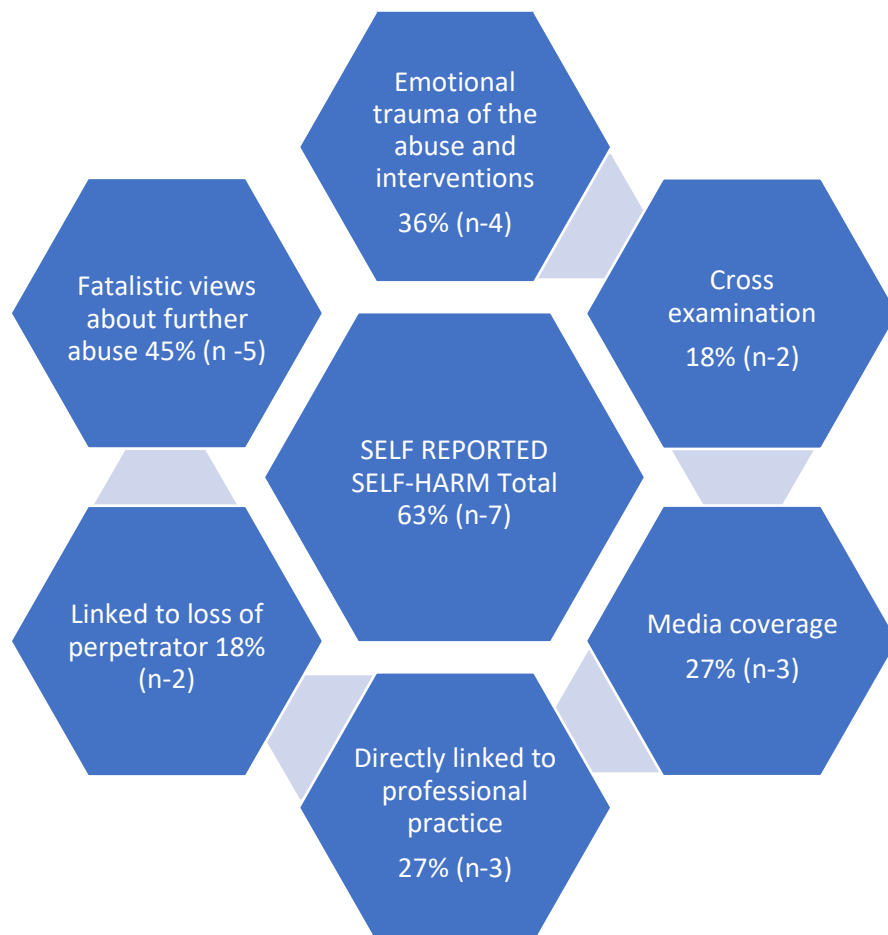
Next the discussions turn to self-harm as a response to professional intervention and practice. However, I do note that there might be a predisposition to self-harm that respondents did not discuss.

### **Self-Harm as a Response to CSE**

The quotes below were given in response to questions about feeling safe or examples of things that did not work well. 45% (n=5) of this sample group discussed superficial self-harm and two young people disclosed suicide attempts. I have also noted other issues that could be characterised as self-harm, even though they were not directly understood as self-harm by the respondents. These include punching walls in frustration, scratching and nipping skin, refusing to eat and taking overdoses. Some respondents did not know they were self-harming, demonstrating a lack of education and understanding of this matter. Two of the reported self-harm incidents were so serious they required hospitalisation, one being an overdose and the

other deep cutting of the arms. The diagram below indicates that some young people had self-harmed more than once, and for very distinct reasons, some related to the abuse and others to a professional's actions or to their experiences at trial. There were also some very concerning fatalistic views about further abuse and harm.

**Diagram 6. Self-Reported Self-Harm**



Although some of the young people's statements about self-harm have been shared elsewhere in this report, I felt it was useful to present them together here, to give context to the type and level of self-harm respondents depicted.

I did not explore the disclosures of self-harm in the interviews because I did not want to make respondents feel they had to discuss these issues beyond what they wanted to say. This

means that the quotes are sometimes not specific. This section begins with a discussion of self-harm as a result of loss of the offender.

### **Self-harm linked to loss of the offender**

Two young people specifically mentioned the loss of the relationship they had with the offender and how that had played a part in their self-harm.

*I have hurt myself because loving someone and getting them done for it makes you feel so hurt, it's horrible to go through. If I did see him now, I would break down and be back at square one.*

(YP A)

In the discussion that took place about this quote, the young person discussed 'trying an overdose, scratching and pulling of her hair'. She said, 'It makes you feel something, like a different hurt, not numb,' (YP A).

Similarly, for YP D, the combination of loss of the offender and embarrassment led her to consider an overdose, but she self-harmed by 'cutting' because she could not find any tablets.

*The first night I self-harmed but I was trying to find some tablets but couldn't. Everything changed, like I was on my own.*

(YP D)

### **Self-harm due to emotional trauma**

Four young people discussed their self-harm as a direct response to struggling to cope with the trauma they experienced as abuse victims. For some this was related to pre-disclosure stress and for others post disclosure.



It's really hard isn't it, I mean I think about this stuff all the time. If I'm not thinking about him it's my baby. It's not a bump or a cut, is it? It takes a lot of time to get over love.

(YP A)

Two young people described self-harm without recognising it as such.

*I had wanted to say something sooner but felt so sick every time I tried. I got mad, so punched the door and walls when I felt like that.*

(YP J)

The punching of walls and others is a recognised self-harm tactic of young males that is not always considered as such by professionals (Coleman and Hagel, 2011).

YP K didn't correlate not eating to self-harm. I also know from her keyworker that this young person often uses food as a means of gaining control and self-harm. I share the keyworker's comments below K's own.

*I wasn't sleeping, every time I closed my eyes, I saw them... I wasn't eating properly, nothing, I just felt so horrible all the time.*

(YP K)

*I have worked with [name] for a long time, she has had a very difficult life and is quite often ill because she doesn't eat. Her GP said she uses that as a way to take control of her life, it is being reviewed regularly.*

(YP K's Youth Offending keyworker)

YP K said that she regretted not engaging fully with therapeutic support.

The stress of the abuse, criminal justice process and media issues were factors causing other respondents to self-harm. YP I's case was the one with the most significant self-harm, but

other respondents were equally vulnerable and at risk as a result of their experiences in the criminal justice system and at court.

I have also included YP C's episodes of going missing in this section. I believe there is a level of self-harm there because he knew any contact with offenders would result in abuse, but also felt disbelieved and was groomed so was very confused about the abuse he suffered.

*They just don't understand how it gets to you when they don't believe you. It's just really hard and made me run off with him again.*

(YP C)

YP K was angry at the suggestions defence barristers made to her in court and managed that anger and upset by burning herself during the breaks in the trial.

*They said I was in it for money and what I could get and that made me mad. I was burning my arm with my lighter in the lunch break at court to get the frustration out.*

(YP K)

### **Self-harm due to media coverage**

Finally, respondent I's mother discussed self-harm as a direct result of media coverage of his abuse which also included his reaction to seeing a picture of his offender.

*[My son] got really upset when he saw his offender's picture. We all cried, but it's ruined him, he's tried to kill himself, he is just not the same boy.*

(YP I)

The information discussed here is subjective in that I cannot say for certain whether there was a history of self-harm for these young people. Indeed, only one case discussion with a keyworker confirmed a history of self-harm, which was YP K. For the remainder of the

respondents I was unsure whether self-harm was a new issue brought about by the trauma of their abuse or their first response to any anxiety.

In conclusion, there are clear examples here of young people self-harming as a direct result of professional contact or inaction. Two young people illustrate the true complexity of grooming, because their self-harm was linked to the initial loss of the offender and one respondent's self-harm meant there was risk to herself and her expected baby, illustrating how naive and vulnerable some victims were and just how complex this abuse is. Three respondents discussed being offered treatment and support, the others did not. The surprising findings was that two young people self-harmed at court, one during the proceedings and one after them by punching walls. There is no feedback to suggest that risk assessments were used in initial contact with young people to determine whether they might be prone to self-harm. Young people discuss family and professionals responding to incidents of self-harm after the event, but do not discuss safety plans to prevent self-harm.

YPs I and B, clearly had high levels of support once they had attempted suicide. One respondent (YP A) asked me at interview, to help her to get support for the trauma she was still suffering about the loss of her baby and felt that she had not been well supported for this up to that point. YP B, also asked for a different kind of support such as befriending.

The levels of self-harm disclosed are high given that this is such a small respondent group and most of the support has come post harm, which suggests that there was no risk assessment to establish whether there was a predisposition to self-harm. The use of a risk assessment to assess for levels of self-harm is a clear recommendation in this thesis in the hope that other children can be safeguarded and supported effectively.

## **Conclusion**

There are subjective limitations to these findings, which are acknowledged, however, there are identified concerns about professional practice and processes and their impact on

vulnerable victims. Whilst acknowledging that respondents are thinking retrospectively about these issues, they have discussed these difficult experiences with professionals and processes as very present and as a continued source of anxiety. There are examples of respondents not being able to reconcile some of the negative impacts of individuals or statutory processes upon them. This feedback is overwhelmingly weighted towards negative views of police practice and of poor communication and of difficult experiences of the court processes and trials that prioritise the defendants' right to a fair trial. In the main the cross-cutting themes and primary findings within these sections were:

- Unannounced visits were a source of anxiety for respondents and their families.
- Opportunities for good communication or consistent contact were missed.
- Waiting times for victims were unacceptably long.<sup>26</sup>
- Child victims felt they lacked any control or rights in the investigation and court process.
- There was a lack of risk assessments to manage issues such as self-harm.
- Anxiety and self-harm are response to professional contact and lack of support.
- Media reporting and social commentary were a cause of further anxiety, and a means of threat and further harm.
- Victims have a continued fear of contact with offenders in the community.

Some respondents' fears are clearly unavoidable and relate to normalised responses to the original abuse. However, if those identified issues and practices that were resolvable could be changed, then there might be better experiences of support to victims. For example, a pre-agreed structure of professional contact may clarify processes and agreed times for

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<sup>26</sup> Waiting to be interviewed, waiting after interview, waiting for investigation updates, waiting to give evidence in court and waiting for therapeutic input (area 3).

communicating investigation updates, risk assessments that checked for existing self-harm issues and professionals following already agreed, good practice guidance might help victims.

The key finding for me is that much of what respondents ask for is already agreed as good practice and mostly legislated for. There is one example of a very positive experience of practice that stands out amongst these respondents: feedback, that of YP I. His quotes tell of child-centred practice, that allowed him to make decisions and of professionals, particularly the police, keeping him informed at all times about the progress of the investigation. The contrast between his experience and other respondents' is significant and his treatment and inclusion by professionals allowed him to discuss positive professional practice in those very difficult circumstances. However, he did not go to court so did not comment on that process or experience.

In summary, similar to earlier qualitative studies and wider literature on child victims of abuse and wider contact with criminal justice agencies and systems, there is limited proof of change for the better. This gives an overall picture of CSE victim support as sadly lacking within the criminal justice system. But more, these findings have illustrated clear examples of where professional acts or inaction have retraumatised or caused further anxiety to an already vulnerable and intimidated victim. The findings are now drawn together in the conclusion of the thesis, with recommendations for practice and policy.

**PART 4**

**CHAPTER 11. CONCLUSION AND RECOMENDATIONS CONCLUSION**

When this research began, I sought to understand the 11 respondents' experiences as CSE victims who have engaged with welfare and criminal justice systems and their related professionals, to progress prosecution of their offenders to court. Despite the knowledge that this engagement would inevitably cause stress and anxiety to a child victim, my goal was to understand what works well and what could be improved, when supporting child victims in the criminal justice system and courts.

I have used a historically rooted, wider literature on child prostitution and more recent research related to child victims of abuse within the criminal justice system to contextualise this thesis. The analysis of the respondent data has generated some remarkable findings about systemic and individual practices that continue to lack child-centred approaches. Conversely, some good individual and systemic practice was also highlighted, including reduced waiting times to court, and partnership decisions that have appropriately prioritised the child victim's needs over those of the investigation and prosecutions.

The purpose of exploring the CSE victims' experiences of support was to gauge whether practice had improved in the context of previous research and wider literature on child victim support. The existing literature had highlighted a dissonance between government and agency commitments to changing policy and the actual practice of individuals and agencies with victims.

The respondents in this study have confirmed that improved practice is still required. These findings suggest that opportunities to make changes proposed by improved policy and good practice guidance have not been wholly embedded within agencies offering child victim support. This is a significant finding and emphasises the importance of continual engagement with service users to evaluate practices. Further, in the current climate of austerity, there are concerns that the aspirations for change to put the victims' needs first may never be achieved.

This conclusion draws together the main themes of the thesis with a summary of the limitations of the research. Each section below follows the chapter headings within the thesis. Each section gives a summary of the findings of that chapter and then concludes with recommendations to improve or build on existing good practice. The thesis ends by discussing my contribution to existing research.

## **Thesis Synopsis**

### **Chapter 1 Introduction to Thesis**

In this section of the thesis I introduce the central question of the research and locate the aims and objectives of the research within my methodological approach. This section also contains the introduction and rationale for the research and the organisation of the thesis.

### **Chapter 2 Introduction to Context and Literature Review**

This section discusses the contextual basis of the literature review and criminal justice responses to child prostitution and CSE over the last hundred years. It considers the key themes and contemporary debates in CSE. The literature review underpins the whole thesis and provides the backdrop to professional and victim understanding of this issue.

### **Chapter 3 Methodology and Theory**

The methodology is set within a critical realist world view that is combined with grounded theory, to portray the respondents' subjective, empirical views of their lived experiences. The research was then able to construct a picture of the child's reality drawing meaning from the combined data. The combined theories acknowledge the importance of drawing on the 'service user' expertise and knowledge, then assists to develop learning and good practice. This work is rooted in a belief in the importance of learning from the subjective (empirical) lived realities of service users and using this understanding as a basis for identifying how to



make effective changes to practice (the actual) that improves the service user experience within the real world.

#### **Chapter 4 Literature Review**

I strengthened the thesis with a comprehensive literature review that gives a clear history and current picture of CSE discourses and related welfare and criminal justice responses to CSE victims. The legislative and policy frameworks of each era are also discussed here. The literature review spans over one hundred years. This resulted in a very broad base of literature necessary to review the legacy of punitive responses to CSE victims and poor recognition of this issue. The literature review also incorporated labelling theory to assist the understanding of the widely accepted child blaming discourses that have pervaded welfare, societal and government responses to CSE victims.

#### **Chapter 5 Victim Engagement with Criminal Justice Systems and Court**

There is less available research directly related to adolescent CSE victims in court, giving a rationale for my study. However, there is a body of literature related to other child abuse victims' experiences of the criminal justice system, particularly the CPS and court systems and processes that are based around the rights of the defendant. This chapter explores that wider research and the challenges to improve child victim support in these processes.

#### **Chapter 6 Findings 1 Disclosure**

These findings emphasise that adolescents can be framed, and subsequently treated differently by both welfare and criminal justice agencies, causing some confusion about their status as a victim. These respondents have emphasised several cross-cutting themes in their feedback of professional support during disclosure, the investigations and court experiences. These are discussed below in the context of key findings and recommendations for change for each set of findings.

There are complex reasons for how and why respondents told about their abuse. These are grouped into themes. Within each theme there are examples of professionals handling disclosure positively, by working at the child's pace and giving them some control and options in their contact, conversely there are examples of poor professional practice that the children experienced as disorganised, frustrating and frightening. Positive disclosure experience was often characterised by how many people were immediately told, and how well the person being told reacted to the disclosure. The support offered to victims following disclosure also played a significant part in making disclosure as positive as it could be.

Some strong themes emerge from the disclosure findings, these include parental reactions that indicate their perception that the child consented to the 'relationship' with the offender; the victim being blamed for taking risks that made them vulnerable to the abuse; and specific fears about fathers' reactions to the sexual activity. For some respondents this reinforced their own fears about the perceived choices they made. Whilst female victims often feared their father's reaction to their sexual contact with a male, male victims were more concerned about being labelled homosexual or having to 'come out' as gay. Disclosure was challenging for all respondents, whether it elicited a positive or negative response. Furthermore, disclosure was a complex experience for several respondents, who could reduce their anxiety related to pressures from offenders by disclosing, but also became anxious about other factors such as those discussed above and those related to engagement with the criminal justice investigation.

### **Common Themes of All Disclosures**

- Unannounced visits to victims in school or at home caused further anxiety and fear of drawing unwanted attention to the child /family.
- Two respondents were so anxious that they self-harmed prior to disclosure. It was the self-harming that drew parents' or school attention, and which was acted upon.

- Respondents waited between 8 months and 2 years to disclose. Some had previously attempted disclosure, but the cues were not understood or believed by parents or professionals.
- A significant majority of respondents (8/11) felt well supported by at least one individual after their disclosure was acknowledged.
- All respondents reported that disclosure was difficult and only 2 chose to disclose to the police and social care. The remainder disclosed in school to a range of staff, to siblings and to friends. This highlights that children are not comfortable approaching the police and social care as a first choice to disclose, even though they are the key agencies who investigate and support disclosures.

### **Recommendations to Improve Disclosure Experiences and Support for Victims**

It is virtually impossible to make disclosure an easy process for young people because they are discussing a very personal and embarrassing violation. However, it is possible to make it safe and less distressing by making very simple changes to professional practice. I outline recommendations emerging from the findings for consideration below.

- The difficulties young people described about disclosing appear to require a wider cultural shift to address and enable disclosure of abuse to become more understood and expected. Possible ways to address this could include: government funded public health campaign about the difficulties of disclosing that are not vague and abstract, that targets children of all ages. Poster campaigns on television between popular children's and teenagers' programmes and advertising on transport/trains to let children know they can disclose, using the language of disclosure to help them relate to it. This needs to be linked into Personal, Social, Citizenship and Health Education (PSCHE) lessons and classes such as the NSPCC Pants Campaign in school.

- Mandatory training for teachers and school staff in all schools on dealing with disclosure and appropriate contact with a child after disclosure.
- An identified professional or family member selected by the child and agreed after disclosure as the child's point of ongoing contact, communication and support.
- Regular annual audit of disclosures in schools and agencies to inform learning and training. (This could be coordinated through LSCBs or new arrangements when they are introduced in September 2019, See Working Together 2018).
- Joint visits by the police and social care following disclosure (wherever possible), negotiated with the child to agree where and when they will happen.
- Victim risk assessments to be completed after disclosure and prior to the ABE interview to establish any risk of self-harm or suicide or pre-disposition to such harm. This should be a mandatory standard assessment such as the Revised Child Anxiety and Depression Scale (RCADS) assessment. These could be completed by health services or social workers before interviews.
- Specialist support for victims who present with pregnancy related to offenders.

## **Chapter 7 Findings 2**

### **Victim Perceptions of Professional Communication and Confidentiality**

My findings and analysis demonstrate that following disclosure, communication with young people by professionals falls short of standards for effective care. A significant majority of these victims, who have capacity, were not consulted about important decisions in their lives – as required by policy and guidance. This includes decision-making about whether to further investigate and progress to criminal proceedings. There is evidence of victims being coerced into progressing a case despite feelings of wanting to withdraw. In this respondent group, three victims discussed being pressured to feel they needed to disclose and take the case to

court in order to prevent other victims from being affected by the offender. They were made to feel guilty by the police as a tactic to maintain their engagement. Furthermore, the respondents discussed their anxiety being induced by uncommunicated visits in the early stages, then by a lack of contact, and later in the investigation by regular uncommunicated contact again. Another strong cross-cutting theme was the number of changes of different professionals handling cases. Finally, four respondents discussed visits from professionals to their homes in order to remove evidence for the investigation and items being removed without their permission. This caused both physical and emotional harm to those respondents through the struggles that ensued and made them feel cross, aggrieved, disbelieved and anxious.

### **Recommendations on Professional Communication and Confidentiality**

- Consistent personnel and agency involvement is needed for the duration of the investigation and trial.
- Police officers should negotiate frequency of contact with the victims and families and where and how these contacts take place.
- If emergency visits are required, then the victim should be contacted by agreed means first, to discuss where and when the visit happens.
- The welfare of the child should be primary. Any officer or social worker who physically harms a child to obtain evidence should be referred to the Local Authority Designated Officer (LADO) and practice issues addressed by their senior managers.

## **Chapter 8 Findings 3**

### **Victim Experiences of Criminal Justice professionals and Processes**

The respondent's rights to choose to progress cases to court were not observed in most of these cases (6). The analysis of this data clearly evidences that there were several times when the needs of the investigation were prioritised above welfare, sometimes at the cost of

further harm and anxiety to the child. Gender and ethnicity were not considered when matching professionals to victims in ABE interview scenarios or for ongoing support. Child blaming was evident in the respondents' accounts of narratives provided by the police, social care, and CPS barristers. Respondents were required to stay for several hours (one for 7 hours) when giving an ABE statement. Also, many young people discussed delays both when waiting for information to be given to them and when waiting to give evidence in places such as in police stations – this was a significant cause of anger among the young people interviewed. Information was also shared with me in interviews about specialist agencies using a 'one size fits all' approach to educating and supporting victims of CSE, which resulted in two of these respondents disengaging from those services. Further questions emerged about the inadequate nature of support and response to peer on peer cases, where respondent and offender attended the same school or lived close by each other.

### **Recommendations for Criminal Justice Professionals and Processes**

- On initial visits, police officers dealing with a CSE case should leave a leaflet about ABE interviews, outlining young people's rights and including details of how long they might take; where they take place; who can hear; the structure of the interview; and a date for the interview. These could include a section that victims can fill in to state their preference on who interviews them, (male or female officers/social worker), what support they need during interviews and what support they have access to directly after an interview.
- Opportunities should be created for immediate feedback from victims to criminal justice agencies about the ABE interview experience. The final section of the interview (following a return to neutral conversation), should include a written evaluation for victims to complete, if they wish, to explain their experience of the interview, including

a question about whether they were able to speak and if not, what would help them next time.

- Statutory agencies responding to disclosures of abuse should assess the needs of the victim and ensure that the allocated ABE interviewer is skilled, knowledgeable and experienced to meet these needs. ABE guidance on good practice should be followed at all times.
- Revised ABE guidance should incorporate a standard time for interviews, to include waiting times, to reduce the length of time a child spends with officers at any one time. This will assist in ensuring preparation is completed before victims are called for interview, not whilst they wait.
- Joint agency interviews should be mandatory to ensure the welfare/criminal justice contexts are covered sufficiently.
- Single agency interviews by inexperienced officers should be reported, reviewed and receive ad hoc audits by HMICFRS, so they can be reviewed for practice issues that might impact on a child giving their best evidence.

## **Chapter 9 Findings 4**

### **The Impact of Court Trials and Related Professional Practice with Child Victims**

My literature review showed the longstanding problem of the waiting times for children taking their case to court, noting that these waits have caused significant anxiety to child victims. It is positive that in this respondent group there is strong evidence to suggest that this issue has been addressed and improved, and there were some very quick progressions to court for these victims. This is good practice that should be built on. Despite a comparative review of practice from different areas sitting outside the remit of this research, there were some clear differences in the waiting times to court in specific areas. Perhaps the contrast in practices

between areas would be an interesting further piece of research in the future. Regardless of jurisdiction, the court is the one area where the rights of the victim and defendant appear to be unfairly balanced. Victims' accounts of their experiences suggest that the rights of the offender overshadow the rights of the victim. Notwithstanding this, there have been significant guidance and policy changes to improve child victim support. However, there is substantial evidence from my data that suggests these policy changes do not always translate to practice and victims were not always considered for all relevant special measures or given the level of support they required and were entitled to in court. Respondents in this study have highlighted ongoing issues with preparation for and safety in court (already noted in the wider literature on child victims in court); and have noted professional practice from agencies that put them at further risk of harm. Most notably, the findings on cross examination suggests that opportunities to change professional language and suggestive questioning styles that have been highlighted in the wider literature and recommended in updated CPS guidance, have not been adopted. This has led to respondents feeling blamed, confused about their status as a victim and about what they were being asked. The findings revealed significant mental health impacts including panic attacks, further anxiety, anger and self-harm. Two respondents self-harmed during the trial and directly after cross examination. The findings also demonstrate young people's lack of understanding regarding the judiciary exchanges in court. One commented that she did not understand the summing up and as such, was not aware of the outcome in court, until she saw her support worker making gestures that suggested there was a successful prosecution. The nature of the court building remains an anxiety-fuelling factor due to its formality and the likelihood of contact with offender and their families.

There were also some interesting findings about young people's experiences of parents in court that emphasised a conflict of need. On the one hand respondents wanted the emotional and physical contact with parents in court, but on the other, their parents' presence induced



additional fear, due to respondent's concerns that the parent would believe the defendant's arguments.

### **Recommendations for Court Trials**

- Young victims should be consistently prepared for court, being given the immediate opportunity of working with an intermediary, which would reduce confusing, suggestive questioning during cross examination and take into consideration their age, emotional intelligence and levels of trauma. At a minimum there should be a communication assessment to understand a child's competence to communicate in court settings.
- S28 and S29 of the Youth Justice and Criminal Evidence Act (1991) should be implemented fully across all courts. Victims should have the opportunity to give evidence from a different building from the offender or pre-trial, as with good practice in Scotland.
- The judge should ensure they clarify the outcome of a trial directly with victims, to ensure they understand whether a prosecution has taken place. There is a good practice example of this in my data where the judge saw the child and family in his rooms after the trial to explain the outcome.
- The prosecuting barrister should introduce themselves prior to trial. The child should be given the option of meeting defence barristers, once they understand their role will be to undermine their evidence. This will reduce confusion about barristers being kind and sensitive before trial and aggressive in their questioning in cross examination.
- Training for barristers should include the opportunity to meet and hear from young people who have been adversely affected by aggressive cross examination. Parents

and victims should be given a pre-trial session to discuss the parents' attendance at court and best means of supporting the child.

- Barristers must use language in line with the child's age and understanding. This could be tested by intermediaries.
- Barristers should be trained to understand the parallels between their methods of cross examination and the behaviours of CSE offenders and adjust those to prevent a further trauma to the child.
- Consideration should be given as to whether all cases involving child victims should be closed trials to ensure children are not pressured or put off by members of the public and friends of offenders attending their trial.
- There should be a form of judicial review on cases where a child feels that they have been bullied and harmed by a barrister.

## **Chapter 10 Findings 5**

### **Unexpected Findings**

These findings explore two distinct sets of unanticipated findings. These include the impact of media coverage of the respondents' prosecutions and other high-profile cases. They note the impact of their information being shared on social media and the lack of preparation young people have had for the media coverage that can follow a case.

The second unexpected finding explored within this chapter related to the level of self-harm described within this small sample group and the links drawn to experiences of criminal justice proceedings. This incorporated self-harm perceived by the victim as a result of professional practice or inaction, fatalistic views about further harm, and child abuse and the direct impact of these on vulnerable child victims.

## **Recommendations on Media Coverage and Self-Harm**

- Revised Children's Anxiety and Depression Scale (RCADS) Assessments are needed at regular intervals before ABE, during the wait to court and directly after court, to ensure support is appropriate and victims' needs met.
- Victims should be prepared for media coverage and advised, as much as possible, of where cases will be discussed and with which agencies information will be shared.
- Victims should be given the opportunity of media training to make their own statements if they wish to, after court, particularly if they have had a very long wait to get to trial.
- Any threats, bullying or intimidation through media or social media should be taken seriously by the police and investigated if that is the victim's wish.
- Further research should be conducted on the impact of professional actions or inaction on child victims of abuse, incorporating issues of self-harm, failure to report again or other identified issues.

## **Conclusion**

The respondents in my research discussed levels of victimisation by professionals at different stages of the investigation that placed some in danger of further abuse, led to some struggling to cope, and caused episodes of self-harm, anxiety and frustration. The data shows that in court, victimisation through cross examination is legitimised by virtue of the defendant's right to a fair trial. These examples of poor practice are only partially tempered by examples of positive practice, which, within this sample, related mainly to contact with voluntary sector agencies. Of the 11 respondents, only 1 case resulted in a non-prosecution, the remainder resulted in 'positive' prosecutions. However, respondent data suggests that a positive prosecution at court does not offset the negative practice experienced on the journey to court

and the experiences in court. It is clear that, nearly 20 years after the Pigot (1989) report highlighted the need to improve child victims' experiences and support in the criminal justice system, there has been very little positive change, despite the commitment of the government and CPS to do so. Professionals need a more nuanced understanding of the impact of their actions or inaction on child victims of CSE and we need to move beyond the rhetoric of improved child victim support and actually resource and fund the work and technology that will achieve the aims of the rhetoric.

### **My Contribution to Research**

These findings illustrate that there are ongoing problems with child victim support that have been discussed for over 20 years. There is also clear evidence of outdated practices and lack of understanding of CSE, such as blaming a 13-year-old male for his abuse, refusing access to pre-trial therapy, and physical interventions to remove property from victims. Further, there is evidence of underhand coercion to keep young people engaged in prosecutions. The responses to victims of CSE in all 5 geographical areas have highlighted continued judgements and attitudinal problems from individuals in welfare and criminal justice agencies.

- The findings from this research add to the existing body of literature that discusses young people's experiences of disclosure, professional practice and engagement as victims or witnesses in criminal justice systems and trials. Even if they do not show a considerable level of change, they support evidence of ongoing problems of child victim support.
- The unintended findings deserve some attention and further exploration within adolescent cohorts of CSE victims, particularly self-harm, as 72% of these respondents gave information about self-harm related to their experiences as a child victim.
- CSE victims are still being refused pre-trial therapy in some areas

- There is a persistent failure by prosecutors to adhere to CPS guidance about sensitive questioning of child victims of exploitation and abuse in cross examination. This is suggestive of a wider issue of courts not embedding this guidance into practice and judges not challenging strongly enough.
- All the good practice suggestions above are generated from the young people's narratives. Therefore, they also highlight the significant contribution of children's own perspectives in contributing to practice and policy development and the value of their voices being heard.
- The information from the narratives suggest that most of young people's resistance to engagement with services relates to professional practice rather than the links to the perpetrator.
- Respondents have discussed issues that have not previously been explored fully, such as the impact of the presence of parents in court, which adds to existing understandings of the child victim experience.
- Positive outcomes (prosecutions) at trial do not negate the impact of poor practice.
- There is a need for some specialist services to update their offer of support and terminology used with victims.

In summary, the important contribution of my research is evidence that while some young people experienced some positive aspects of taking a case to court, these were the minority, and were overwhelmingly outweighed by the number of negative and at times re-traumatising experiences described. This demonstrates a need for a conceptual shift within both welfare and criminal justice services to fully recognise, prioritise and respond to the welfare needs of child victims of abuse, consistently and as a matter of priority. Because the findings here suggest there are aspects of current practice that are harmful to children is there legitimate

victimisation of children in current criminal justice systems and in responses to these child victims?

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## **APPENDICES**

### **APPENDIX A**

#### **Interview Questions Used to Guide the Discussion Disclosure:**

- Who was the first person to speak to you about your CSE case?
- What agency/ies were involved first?
- What did you think would happen once you had disclosed?
- Who did you disclose to first?
- Why did you choose that person?
- How did they deal with your disclosure was it positive or negative experience?
- What happened after you disclosed?
- Did you have any choice about what happened and who was told?
- How long was it between your disclosure and a visit from Social Care or Police?

#### **Support:**

- Did you have a consistent support worker/social worker/police officer/during this process?
- How was that support?
- How often did you see them?
- Did you have any positive or negative experiences of support?
- When did they support you? (before, during or after court)
- Who supports you now?
- Did you understand each person's role and limitations?

#### **Court/Choices:**

- Did you agree/choose to this progressing to court?
- What discussion did you have and which agency was that person from?
- Did you change your mind at any point before the trial?
- What happened if you changed your mind?

How were you prepared for the following i.e. was it face to face, leaflet, visit etc.?

#### **Police interview**

- (ABE) • Intermediary
- truth test?

- Length of interview?
- What kind of things you would be asked?

#### Medical

Did you have a child protection medical?

Did you have to give any blood or urine samples?

Did you get to choose who supported you in the medical Court

#### preparation:

- Did you know when the ground rules hearing took place?
- Were you offered an Intermediary?
- Court visit?
- Meeting Judges or Barristers?
- What special measures were you given? i.e. TV link /curtains in court
- Did your family attend?
- How were you prepared for cross examination?
- What happened at court?
- Who supported you at court?
- Were you challenged about your evidence?
- Did the Judge stop the Barristers cross examination at all?
- Tell me how giving evidence made you feel
- Outcome at court?
- What was the outcome at court?
- How long were you there and given evidence?
- What worked well before during and after the trial?
- Did you feel safe during these processes and in contacts with professionals?
- Did anything make you feel unsafe during this time? (This might be related to your contact with professionals or something in your personal life, the offender or you may not have felt unsafe etc.)
- Do you have ongoing support?

#### Who by?

- How long can you be supported by the/se agencies and what is your view on that?
- Have you been offered therapeutic support of any kind i.e. counselling?
- Is there any support you would like that you are not receiving?

- Did the outcome at court make you feel any better about the processes you had to go through? Has it helped you to come to terms with what happened?
- If the outcome was different would you still feel the same?

Was there media coverage/ if yes did you know that there was going to be?

- What did you think about the way it was reported in the media?
- Did media coverage of your case or other cases affect you?
- Have you been referred for any specialist support post-trial?

ANY OTHER COMMENTS?

What would your message be to other young people?

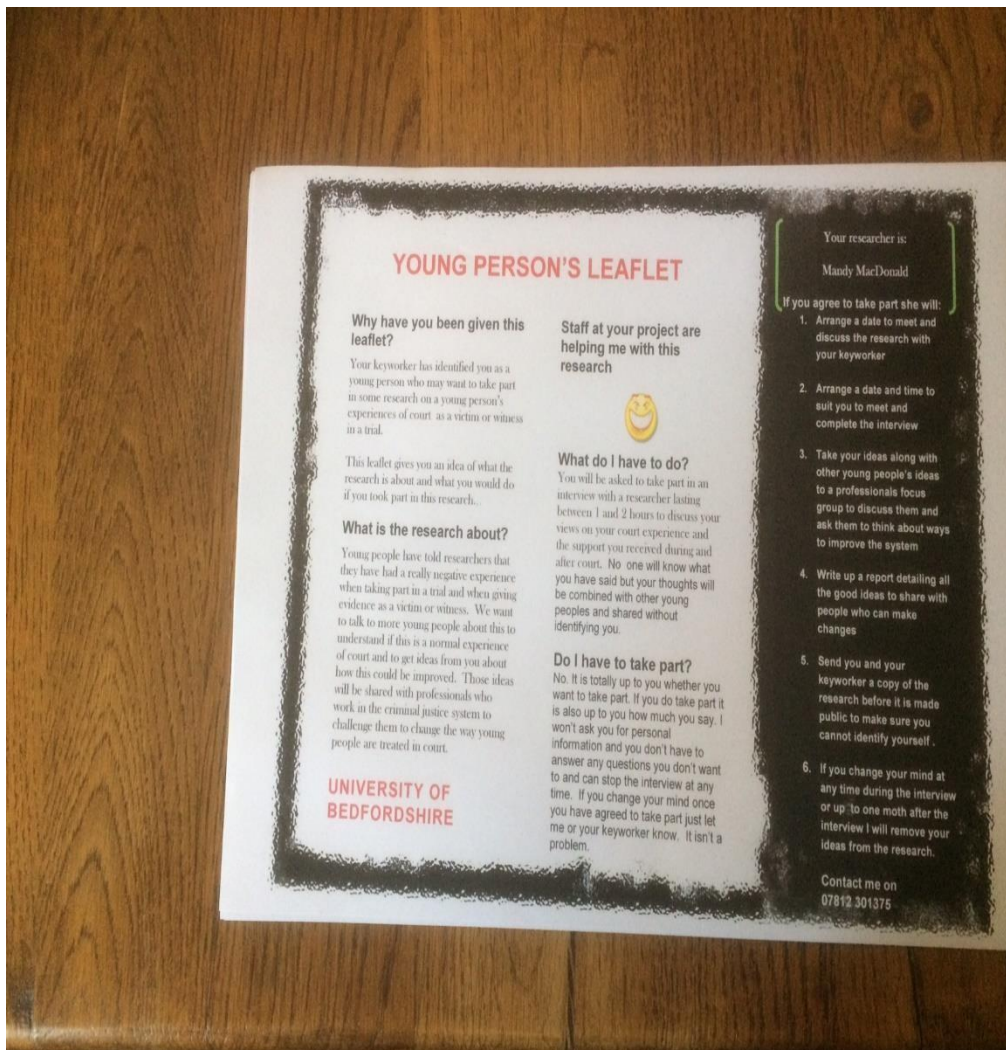
If you could speak to Barristers, Judges, Social Workers, Support Workers, Police Officers and Politicians about these processes, what would you want to say and what would you want them to change?

Would it have been helpful to speak to peers about your experience?

**Many thanks for your time and for taking part.**



## Appendix B Young Person's Leaflet



## **Appendix C**

### **YP Risk Assessment**

#### **Risk Assessment form for gatekeepers to consider when identifying participants**

**Brief introduction to young person (without names) • Gender, Ethnicity,  
Age • Describe the young person's experience/knowledge of these issues •  
Give an overview of any known vulnerabilities**

- **Are they emotionally stable/able to take part?**

#### **Risks associated with involvement in research and how these can be managed:**

- **Too vulnerable at present/potential for emotional distress?**
- **Risk of someone finding out about involvement & this leading to potential harm?**
- **Ability to maintain confidentiality about participation in the study?**
- **Negative impact on any therapeutic/support work?**
- **Interfere with any legal processes?**
- **Risks to the agency or any other third party?**
- **Specific risks of 1-1 interviews?**
- **Can identified risks be adequately managed (how?) or is risk of proceeding too great?**
- **Anything else researcher should be aware of to ensure sensitivity of approach?**

#### **Additional consents required:**

- **Are parent/carers consents required?**
- **Any risks associated with asking for parental consent?**
- **If parent/carers consents are required, can you facilitate getting this, using info provided by researcher?**

#### **Practicalities:**



- Will you make initial approach to the young person, based on info from researcher?
- Any translation of young people's information materials required?

**Follow up support:**

- Are you able/appropriate to provide follow up support?
- Are you willing to actively follow up with young person after the interview to see if they are ok? I would request a 1-1 session if they wish to have one
- What additional forms of follow up support are required – who could provide this?
- We request that staff and keyworkers have follow up with their own supervision team, however I would request a debrief directly after the interview please.

**Any questions or concerns on your part?**

**Process if agreement to proceed:**

- We will send you copies of the YP info leaflet & accompanying info for workers
- You make initial approach to young person.
- Once all consents are obtained, we will work with you to arrange a time to meet with the young people (a pre-meeting can be arranged if you or the young people feel it would be beneficial).

**This is for your information and to guide a risk assessment with the young person. No young person who is deemed too vulnerable should be approached or referred. We can discuss this form when I call if you agree to take part.**

**Thank you.**

## **APPENDIX D**

### **Professional fact sheet**

About the research

Dear Sir or Madam,

I am a student completing a part time Doctorate with the University of Bedfordshire. I would like to invite you to take part in a research study looking at a young person's experience of multi-agency support when they are going through court as victims or witnesses in Child Sexual Exploitation trials. The known cases of CSE are in multiples of thousands (Berelowitz et al 2012, CEOP 2011) and as professional responses and detection improve there are more successful prosecutions. It is really important to ensure that the young person's experience of these trials is understood. Therefore, this research will obtain the young person's views of support from all agencies involved, before during and after a court case. In this research, I want to obtain feedback from young people who have been through successful and unsuccessful trials to establish whether the process and outcomes are the same and to establish what impact they have on the young person's ability to move on with their lives. I am particularly interested to know whether young people's experience of court differ if they have a successful outcome.

This research is being developed following a learning review I undertook with young people on the Derby trial, Operation Kern, which highlighted some important learning for professionals and the courts.

How will the project take place?

- I will work with local specialist sexual exploitation projects to interview up to 15 young people involved in successful and unsuccessful CSE trials.
- Each project will be asked to identify between 3 and 5 suitable young people to take part in 1-1 interviews with the researcher.
- The interview will explore the different aspects of a young person's journey through the court processes and obtain their views of the related support. The interviews will be discussion led by a series of questions and allow for free flow discussion. They should last between 1 and two hours.
- At the end of these meetings young people's views will be shared with 2 focus groups of professionals. These groups will include representation from Police, CPS,

Victim Support and specialist CSE services. These groups will be asked to respond to young people's ideas and suggestions and determine whether there are opportunities for change and improving practice. The findings from these groups will be fed back to young people in a final report.

Who are the young people we would like to involve?

- I would like to speak to young people aged 16 and over, male or female involved in group or individual trials.
- I want to engage young people who have experience of CSE trials and court processes relating to sexual exploitation, who are interested in sharing their views on those processes. The research will then be used to help professionals think about how they can make those processes and experiences better for the young people who go through them. They will not be asked about their individual cases or reasons for the prosecution.
- It is important that all potential participants are engaged with projects or support (currently or as an ex-service user) and have a named project worker who can act as a gatekeeper and guide me about their suitability for involvement in the research. That involves identifying any potential risks and provision or offers of 1:1 follow up support as necessary.

Protecting the welfare of participants

- Protecting the safeguarding and wellbeing of all young participants and families remains the priority of this research.
- I hold an enhanced CRB check and have worked with the victims of CSE for many years. The research has been through ethical review processes at the University of Bedfordshire and is monitored and guided by my supervisors Professors Jenny Pearce and Margaret Melrose.
- I will ask gatekeepers to advise me of any potential risks associated with a young person's involvement in the research and only proceed where these can be adequately managed. I will also ask you to assist in identifying an appropriate source of follow-up support for the young person post-research if necessary.
- The initial approach to potential participants will ideally be made by a worker known to the young person and they will act as the gatekeeper.

- When interested participants are identified, I will come and do an introductory meeting. The timing of this meeting and subsequent interview will be agreed with each individual project, according to what is most suitable for their young people and support workers.
- I will confirm with young people that they understand what they are taking part in (nature of research project, use of data, limits to confidentiality etc) and that their decision to participate is voluntary, before starting any engagement. I will make sure that they know that they can change their mind about taking part during the interview or up to one month after this and are clear as to how to do this.
- All participants have the choice to decide if they are happy for interviews and focus groups to be audio-recorded. If any individual does not consent to this process, I will make hand written notes.
- I will provide gatekeepers and young people with follow up contact details should they have any questions or concerns following their involvement in the research.
- Participants will NEVER be identified through any reports produced from this project.

#### Next steps

If your project agrees to take part, I will ask you to complete the following:

1. Identify any young people who fit the criteria above and might be interested in participating in the research.
2. Contact me (details below) BEFORE telling the young person about the research to:
  - i. Discuss the potential risks and benefits of a young person taking part, and how best to support the young person in this;
  - ii. Consider specific issues regarding research;
  - iii. Agree what consents are required;
  - iv. Agree appropriate follow up sources of support;
  - v. Discuss the practicalities of their involvement

3.If agreed that it is appropriate to approach the young person about the research project, use the information leaflet provided to tell them about the research and ask if they are interested in taking part. Please talk through the following points with them to help them decide about taking part:

- It is important that young people know they are free to decide whether or not to take part in the research and that they know there won't be any negative consequences if they decline.
  - It is also important they know that they can change their mind at any point during the project, or up to one month after taking part (by contacting me or by asking you to contact me).
  - Taking part in the project offers an opportunity to have their views/opinions inform the outcomes of the research and, hopefully, future responses to the issue. This research aims to assist a better understanding young people's experiences at court and will be used to advocate for change in court processes involving young people. A caveat to this is that this is a small-scale research project and so we need to be mindful of managing expectations around what is achievable.
  - Explain to the young person the arrangements agreed with the researcher in terms of the provision of follow up support.
  - I will use what young people tell me in reports and presentations, but I will make sure no-one knows who told me these things. Confidentiality is key to maintaining the trust of young people so any identifying factors from discussions and focus groups will be removed from the research. I will not be identifying the areas involved in the research.
  - The only time information would be shared is if young people disclose something that constitutes a significant safeguarding issue, either for themselves or others. If this happens, I will talk to their project worker and inform the young person that I will be doing so, so that they know what is going to happen and to keep them informed. It is important that participants understand these limits to confidentiality – I will reiterate them before the interviews and focus groups.
  - Young people will not be paid for their time whilst taking part in the research.
4. If the young person has any questions that you can't answer, you and/or they can contact me on the details below.
5. If after these discussions, a young person is interested in taking part please call me to arrange a time for an introductory meeting about the research and the risk analysis/consent issues.

6. If you have any questions, or would be happy to help facilitate the involvement of some of your young people in the research, please contact me:

Mandy MacDonald Tel 07812 301375

Supervisor Jenny Pearce email: [jenny.pearce@beds.ac.uk](mailto:jenny.pearce@beds.ac.uk)

## APPENDIX E

### Young Person's Consent Form

Before we get going, we need to ensure that you are fully informed about the project and that you are happy to take part. To begin, please look at the questions below and tick the box if you agree:

I understand what this project is about and have had the chance to ask questions about it ☐

I understand that I do not have to take part if I don't want to and I can stop the interview at any time or refuse to answer a question if I don't want to ☐

I know that what I say will be used in research and reports, but my name and any information that could identify me will be removed from the research so people will never know I said this ☐

I will be given the chance to read the research before it is made public and will receive a copy of the final document ☐

I know who to ask for and how to contact the researcher if I have a question after this meeting ☐

I know who to go to if I need support after this meeting

I know that if I say anything that suggests that I or someone else will be harmed or has been harmed and not reported during this meeting that the researcher has a duty to report that information to my support worker and possibly the police and social services ☐

I know that the meeting and what I say will be recorded (as long as I agree) to make sure that everything I say is remembered properly and that this recording will be destroyed once the research is complete ☐

I am happy to take part in this research ☐

Your name: \_\_\_\_\_

Your signature: \_\_\_\_\_

Date: \_\_\_\_\_

Researcher's name: \_\_\_\_\_

If you have any questions, please call Mandy the researcher on 07812 301375 (Work Mobile)

## APPENDIX F

### **Parent/Carer Information sheet**

About the research

Dear Sir or Madam,

I am a student completing a part time Doctorate with the University of Bedfordshire. I would like to invite you to take part in a research study looking at a young person's experience of multi-agency support when they are going through court as victims or witnesses in Child Sexual Exploitation trial. The known cases of CSE are in multiples of thousands (Berelowitz et al 2012, CEOP 2011) and as professional responses and detection improve there are more successful prosecutions. It is really important to ensure that the young person's experience of professional support and court trials is understood. This research will obtain the young person's views of support from all agencies involved, before during and after a court case. In this research I want to obtain feedback from young people who have been through successful and unsuccessful trials to establish whether the process and outcomes are the same and to establish what impact they have on the young person's ability to move on with their lives. I am particularly interested to know whether young people's experience of court differ if they have a positive prosecution in trial.

This research is being developed following a learning review I undertook with young people on the Derby trial, Operation Kern, which highlighted some important learning for professionals and the courts. You can view this report via [www.derbyscb.org.uk/learningreviews](http://www.derbyscb.org.uk/learningreviews)

I have been asked during the interview phase with young people if Parents and Carers can give their views and have them incorporated into the research. I have requested additional ethical permission to do this. Please take a look at the information on the research below if you are willing to take part.

How will the project take place?

- I will work with local specialist sexual exploitation projects to interview up to 15 young people involved in successful and unsuccessful CSE trials.
- Each project will be asked to identify between 3 and 5 suitable young people to take part in 1-1 interviews with the researcher.



The interview will explore the different aspects of a young person's journey through the court processes and obtain their views of the related support. The interviews will be discussion led by a series of questions and allow for free flow discussion. They should last between 1 and two hours.

- At the end of these meetings young people's views will be shared with 2 focus groups of professionals. These groups will include representation from Police, CPS, Victim Support and specialist CSE services. These groups will be asked to respond to young people's ideas and suggestions and determine whether there are opportunities for change and improving practice. The findings from these groups will be fed back to young people in a final report.

Who are the young people we would like to involve?

- I would like to speak to young people aged 16 and over, male or female involved in group or individual trials.
- I want to engage young people who have experience of CSE trials and court processes relating to sexual exploitation, who are interested in sharing their views on those processes. The research will then be used to help professionals think about how they can make those processes and experiences better for the young people who go through them. They will not be asked about their individual cases or reasons for the prosecution.
- It is important that all potential participants are engaged with projects or support (currently or as an ex-service user) and have a named project worker who can act as a gatekeeper and guide me about their suitability for involvement in the research. That involves identifying any potential risks and provision or offers of 1:1 follow up support as necessary.

Protecting the welfare of participants

- Protecting the safeguarding and wellbeing of all young participants and families remains the priority of this research.
- I hold an enhanced CRB check and have worked with the victims of CSE for many years. The research has been through ethical review processes at the University of Bedfordshire and is monitored and guided by my supervisors Professors Jenny Pearce and Margaret Melrose.

I will ask gatekeepers to advise me of any potential risks associated with a young person's involvement in the research and only proceed where these can be adequately managed. I will also ask you to assist in identifying an appropriate source of follow-up support for the young person post-research if necessary.

- The initial approach to potential participants will ideally be made by a worker known to the young person and they will act as the gatekeeper.
- When interested participants are identified, I will come and do an introductory meeting. The timing of this meeting and subsequent interview will be agreed with each individual project, according to what is most suitable for their young people and support workers.
- I will confirm with young people that they understand what they are taking part in (nature of research project, use of data, limits to confidentiality etc) and that their decision to participate is voluntary, before starting any engagement. I will make sure that they know that they can change their mind about taking part during the interview or up to one month after this and are clear as to how to do this.
- All participants have the choice to decide if they are happy for interviews and focus groups to be audio-recorded. If any individual does not consent to this process, I will make hand written notes.
- I will provide gatekeepers and young people with follow up contact details should they have any questions or concerns following their involvement in the research.
- Participants will NEVER be identified through any reports produced from this project.

#### Next steps

If you wish to take part and provide your views of your child's journey to and through court, or comment on aftercare, please complete the following and I will send you a questionnaire to complete:

BEFORE completing the questionnaire, please consider:

- The potential risks and benefits of taking part, and any support you may require.
- Consider specific issues regarding the research:
- Ensure you and your child consent to you taking part;  
Agree appropriate follow up sources of support;

- Consider the practicalities of your involvement
2. If you agree to take part and complete a questionnaire use the information leaflet provided to tell your child about you taking part. Then consider the following:
    - It is important that you know that you are free to decide whether or not to take part in the research and that there will not be any negative consequences if you decline.
    - You can change your mind at any point during the project, or up to one month after taking part (by contacting me, see below).
    - Taking part in the project, offers you the opportunity to have your views and opinions heard and in doing so you may provide a better understanding of a child's journey through court. The final thesis will aim to assist professional understanding and advocate change in court processes where there is a need.
    - This is a small-scale piece of research, so I need to ensure that there are realistic expectations about what impact it may have.
    - I will use what you and young people tell me in reports/presentations but will make sure no-one knows who told me these things. Confidentiality is key to maintaining the trust of young people so any identifying factors from discussions, questionnaires and focus groups will be removed from the research. I will not be identifying the areas involved in the research.
    - The only time information would be shared is if you disclose something that constitutes a significant safeguarding issue, either for you or others. If this happens, I will talk to my supervisor and keep you informed as to what course of action is required. It is important that participants understand the limitations to confidentiality – I will reiterate them again when sending out the questionnaire.
    - Unfortunately, you will not be paid for your time or for taking part in the research.
  3. If you have any questions contact me on the details below.
  4. If after reading this leaflet you are interested in taking part please call me to discuss taking part in the research.

## CONTACT

Mandy MacDonald

Tel 07812 301375

Supervisor Jenny Pearce - email: [jenny.pearce@beds.ac.uk](mailto:jenny.pearce@beds.ac.uk)

## CONSENT FORM:

I ..... Date .....

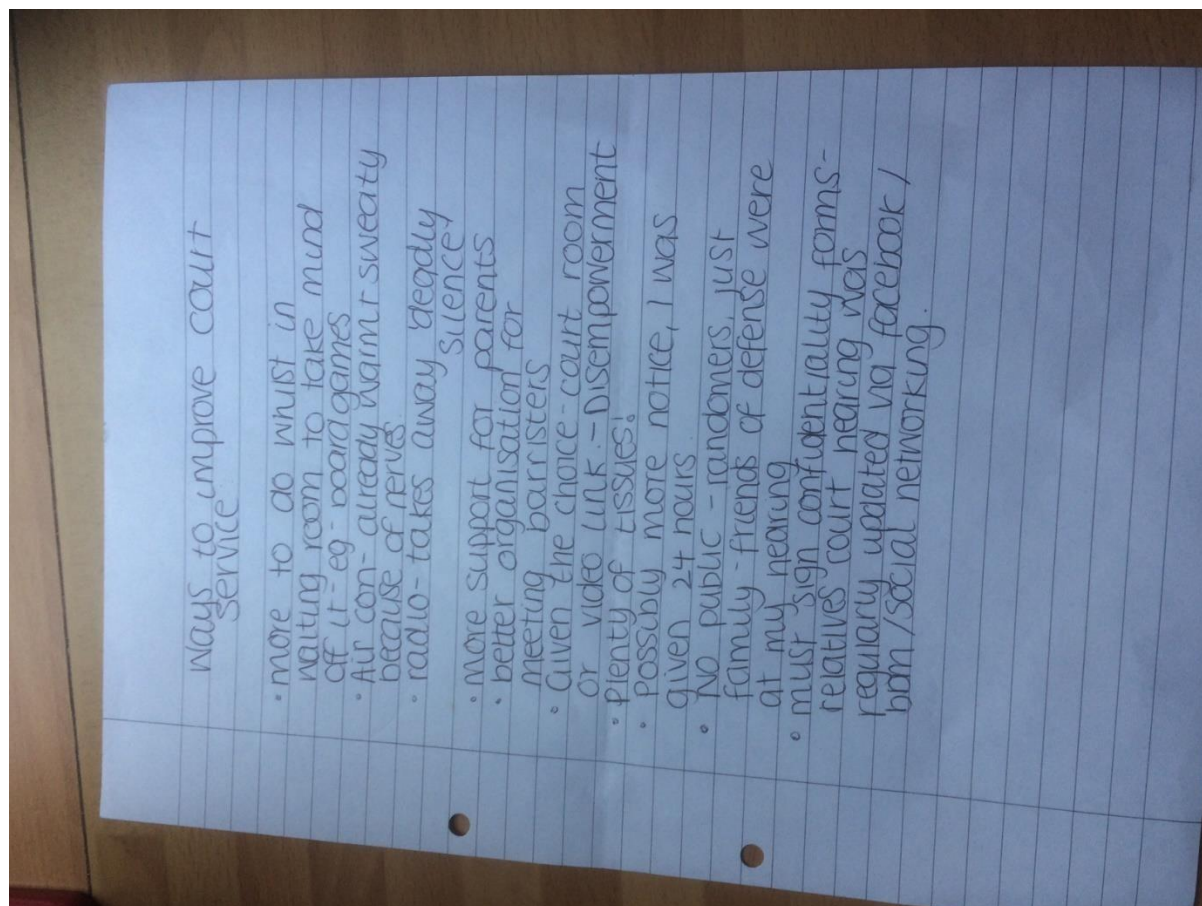
Agree to take part in this research.

Researcher ..... Date .....

## **APPENDIX G**

## Appendix G

### Example of Young People's Recommendations from the Interview:



## APPENDIX H

### Young People's advice to other young people, Parents and Professionals:

That thay can be any age if can be  
Young people or old people it does not matter

~~Nothing~~ Don't lie about your age + don't  
go on social media

you don't ~~go~~ and meet  
you don't know.

~~Nothing~~ Don't lie about your age + don't  
go on social media

Tell ~~someone~~ someone it can be stopped  
before anything serious happens.

Yes because I know understand what these people  
say to persuade you to believe them and how they  
can lie to you.

## **Appendix I**

### **Messages from Participants to Young people**

YP B Don't talk to anyone online that you don't really know. And don't believe anything they say. If this happens to you, you will be gutted.

Don't bother with it. Doesn't make a difference and will be best if you sort it yourself.

YP D Make sure you have got someone there to talk to that you can say anything to, you will need them.

YP C Don't trust anyone on the internet. If they are older, they should not be interested in you so don't let anything happen, cut them loose.

Couple of times [worker] has brought other young people to talk to me. I would be interested in talking to another young person who has been through the same.

In the future I might be a counsellor, at least I will be good at it, or maybe not because I wouldn't talk to them too much. Who knows.

YP A Look if you think about the consequences of what you are doing listen to your feelings (instinct) and don't lie to your parents, carers or someone like that. You might be really hurt if you don't, this hasn't took the full life out of me I am doing pretty well but it is gradual I have more to do

YP G You know I didn't think people wouldn't believe me so I didn't say anything and I wish I had. I had lessons in school about internet safety and things, but I used to ignore it, well not ignore it I KIND OF half listened because I thought I was quite sensible, but it has taught me, anyone can be a victim. People know more now because of all those reports so speak up and they will support you.

YP H Be your own person you have more power than you believe. So, don't let people hurt you. If you knew how this messes you up you would stay clear of it. I wanted to end my life so many times it is that serious and I still have bad days now 3 years on. And don't think its just dirty old men that do this, it can be lads just a bit older too. Be really careful

YP F If you don't want to do this then don't, they are not supposed to, it is your choice.

YP J Look at my life now. This is what happens if you get into that kind of stuff it ruins your future. I wish I could turn back time.

YP k You think it's fun, but you get hurt, raped and thrown away. Not nice!

YP I I don't know. Just be safe.

## **Messages to Professionals**

### **Police**

I didn't want to go and didn't like feeling guilty because of what might have done to other girls, If I didn't go

They want to remember who the criminal is.

Police shouldn't just turn up and shouldn't make you feel guilty about changing your mind.

Police Don't guilt trip me into doing things. Don't just turn up at all hours and take my things without discussing it with me.

Police were great. She said the best thing to do was to show that he hadn't got me down.

Police Boys are victims too and just because you go out and do it again doesn't mean you are not a victim. One senior police officer said I was a waste of time and resources when I went missing to London.

Think as well that there should be a bit more of a planned date for interviews and meetings. Like they just used to call, and say come. On one of those days it was my Birthday and it seems just a small thing but to me it was massive.

Maybe it might seem a stupid idea but getting to know the person you are interviewing like spend a bit of time with them, so they don't feel so embarrassed and shy when you are interviewing them. You know like see them outside and don't talk about the case, ask about their hobby or horse or something. Or even take time before the meeting in the centre to chat rather than go straight into it.

I wasn't prepared for how personal the questions were and it was worse because I was interviewed by 2 men. I was only young, and they asked me really personal questions it made me feel and I think for me that jeopardised my answer because I wasn't able to answer as I should because I felt really uncomfortable and embarrassed. I never said anything to them.



Keep communicating and keep making sure you are doing stuff for the young person not to make your life easier.

Get your ideas together and stop being so disorganised

Didn't feel supported by Police, just thought they wanted me to go to trial

Don't put someone in an awkward position if you want them to speak about difficult things.

A female officer might have been better. Keep people informed of what you are doing.

Let us give our interview on paper or video without you there. You could write any new questions after.

### **Social Care**

Social workers should be honest about supporting you, not just come to check out your family.

Social worker wasn't any use, why bother sending her when she didn't speak to me anyway.

Make them feel like you actually care ha ha. I just feel like she has just come to see me because she has to. I don't think I'm that important in her work.

Not to give you student workers, you don't feel safe with them because they are learning and leaving you soon.

Don't go in guns blazing and attacking what someone has done.

Make sure that when a kid is being interviewed you are quicker to intervene when you

No one mentioned pre-trial therapy. It was really hard, and I found out after that I was entitled to that support, so it made me really angry.

I am worried about what happens when it is all over – most support has now stopped, and my social worker should have closed the case because I am over 18.

## **CAMHS**

CAMHS should ask questions instead of just assuming things. They think they know why I do things, but they don't they just stereotype me.

## **School**

You should have told me what was going to happen before going off and telling everyone. I know they have to tell but they could have let me know.

People at school have been horrible but nothing really serious, it just gets out doesn't it.

School should have been more open about why they wanted to disrupt friendships instead of just saying she was a bad influence.

School should have done more when they knew about it

School should tell you more about this stuff

I keep getting reminded about this by other cases on the news and in the papers. I think we should do more in school about it.

## **Barristers**

Barristers shouldn't make you feel so angry. I don't think they should be so horrible either. They should not tell lies.

Being called a liar in front of all those people and I will see them in town or sommat.

They should get longer in prison, what's the point.

They want to remember who the criminal is.

Don't make me feel like I am the one that is on trial.

They should not say you are actually lying because the person has the courage to stand up and go to court and they just knock them down and making you feel really sad and small.

They shouldn't be like you are lying going to court is a big deal and they don't understand. They work there and are used to it.

## **Message to Parents**

Just because one thing has happened doesn't mean it will happen again you have to trust me again

What would have helped n the beginning?

A stable home life

Better relationship at home

Not being abused at home

I didn't have a choice whether we went to the police or not. My mum said it is happening and it did. I wasn't ready for it all to come out, so I would have preferred not to at that point.

## **Message to politicians:**

Improving things – don't make court such a daunting place to go.

Minister - It does need more looking at and smoothing out and make sure they have entire support and completely supported because that is the best way to get evidence out of them.

More notice for going to court. I don't think just anyone should be in the public gallery, some people we know were in the public gallery and they came with their parents and stuff.

It was awful

Should be in the public gallery so they can see it for themselves. They might understand then how it is for young people

They can then think about their laws and ridiculous court system

Politicians need to make sure that kids are treated fairly in court.

Why don't the politicians and police do more to stop these people? I was really taken in by him, but he was doing it to other girls too, how did he get away with it for so long?

## APPENDIX J

### Example of a Diary of Systematic Search using Discover

Search date	12/10/14
Databases searched	Discover basic search
Key words used	'CSE or 'Sexual Exploitation'
The results below show this is too unwieldy, therefore I selected specific disciplines and limiters to reduce the number of results.	
Results	N = 227,900
Database Search	Discover Advance
Key words used	'Child' 'Sexual Exploitation' and 'CSE'
Search inclusion discipline	Law, Politics and Government, Social Science and Humanities, Social Work, Sociology
Limiters	English language, Books, Academic Journals, Peer Reviews
Results	N = 852
Database Search	Discover Advance
Key words used	'CSE' and 'Prostitution'
Search inclusion discipline	Social Work, Politics and Government, Sociology
Subjects	Gender, Masculinity, Prostitution
Results	115
Limiters	Child Sexual Abuse (35), Sexual Abuse (28), Interviewing (23), Child Protection (30)

<b>Results</b>	115
Example Texts	<p>What's going on to safeguard children and young people from sexual exploitation: A review of LSCB'S. Pearce et al (2014). Child Abuse Review 159 – 170. Child Sexual Exploitation and Youth Offending: A Research Note. Cockbain et al 2012. European Journal of Criminology 689-700. Child Sexual Exploitation Victimisation and Vulnerability. Appleton (2014) 155-158. Factors that increase the Police Conceptualizations of Girls Involved in Prostitution in 6 US cities. Child Sexual Exploitation Victims or Delinquents. Halter (2010) Child Maltreatment Today 152 -160</p>

The use of limiters allowed some control over the size and relevance of the literature returned filtering documents to include only those with explicit relevance. I also searched using more generic search engines such as google scholar and through government websites using the same terms and criteria, applied above. The searches identified a range of types of literature including peer reviewed articles; serious case reviews; empirical data, research reports from Ofsted and HMIC and data from the office of national statistics and government policy, including green papers, committee reports, bills, and legislation. I also used grey literature from voluntary sector agencies such as Barnardo's, NSPCC, and the Children's Society. I also researched freedom of information requests related to CSE, to gather as much specific information as possible to complete the literature review. The variety of sources also captured a range of perspectives and allowed for a broad range of literature to be reviewed.